

CITY CLERK'S OFFICE

DATE 5-18-12 TIME 8:52am

SERVEL BY Randall Kippenbrack

RECEIVED BY [Signature]

## AGENDA

SPECIAL MEETING

SANTA FE SOLID WASTE MANAGEMENT AGENCY  
JOINT POWERS BOARD

MAY 24, 2012

12:00 P.M.

LEGAL CONFERENCE ROOM  
SANTA FE COUNTY COURTHOUSE  
102 GRANT AVENUE  
SANTA FE, NM

**I. Call to Order**

**II. Roll Call**

**III. Approval of Agenda**

**IV. Approval of Minutes for Regular Meeting - April 19, 2012**

**V. Matters from the Public**

**VI. Matters from the Executive Director**

- (A) Request for Approval of Ordinance 2012-\_\_, an Ordinance to Repeal and Replace Ordinance 2010-1 Entitled Creating Fees, Rates, and Charges for Use at All Facilities Operated by the Santa Fe Solid Waste Management Agency for the Purpose of Revising Said Ordinance.

**VII. Matters from the Board**

**VIII. Next Meeting Date**

**IX. Adjournment**

Anyone needing further information or requiring special needs for the disabled should contact Jodie Gonzales at (505) 424-1850, extension 120.



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CITY AND COUNTY OF SANTA FE  
SOLID WASTE MANAGEMENT AGENCY  
SPECIAL BOARD MEETING  
May 24, 2012

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APPROVAL OF THE MINUTES – REGULAR MEETING OF APRIL 19, 2012	Approved	2
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<u>MATTERS FROM THE EXECUTIVE DIRECTOR</u>		
REQUEST FOR APPROVAL OF ORDINANCE NO. 2012-01, AN ORDINANCE TO REPEAL AND REPLACE ORDINANCE 2010-1, ENTITLED <i>CREATING FEES, RATES, AND CHARGES FOR USE AT ALL FACILITIES OPERATED BY THE SANTA FE SOLID WASTE MANAGEMENT AGENCY FOR THE PURPOSE OF REVISING SAID ORDINANCE</i>	<i>Approved</i>	2-3
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**SPECIAL MEETING OF THE  
SOLID WASTE MANAGEMENT AGENCY  
SPECIAL JOINT POWERS BOARD  
Legal Conference Room  
Santa Fe County Courthouse  
May 24, 2012**

**I. CALL TO ORDER**

A special meeting of the City and County of Santa Fe Solid Waste Management Agency Joint Powers Board (SWMA) was called to order by Commissioner Virginia Vigil, Chair, on Thursday, May 24, 2012, at approximately 12:00 noon, in the Legal Conference Room Santa Fe County Courthouse, 102 Grant Avenue, Santa Fe, New Mexico.

**II. ROLL CALL**

**MEMBERS PRESENT:**

Commissioner Virginia Vigil, Chair  
Councilor Bill Dimas  
Commissioner Kathy Holian  
Councilor Christopher M. Rivera

**MEMBERS EXCUSED:**

Councilor Peter N. Ives  
Commissioner Daniel Mayfield

**STAFF PRESENT:**

Randall Kippenbrock, Executive Director – SWMA  
Angelica Salazar, SWMA  
Justin Miller, Legal Counsel  
Melessia Helberg, Stenographer

There was a quorum of the membership in attendance.

Chair Vigil asked everyone to introduce themselves.



### **III. APPROVAL OF THE AGENDA**

**MOTION:** Commissioner Holian moved, seconded by Councilor Dimas, to approve the Agenda as presented.

**VOTE:** The motion was approved unanimously on a voice vote [4-0].

### **IV. APPROVAL OF THE MINUTES – REGULAR MEETING OF APRIL 19, 2012.**

**MOTION:** Commissioner Holian moved, seconded by Councilor Dimas, to approve the minutes of the regular meeting of April 19, 2012, as presented.

**VOTE:** The motion was approved unanimously on a voice vote [4-0].

### **V. MATTERS FROM THE PUBLIC**

There were no matters from the public.

### **VI. MATTERS FROM THE EXECUTIVE DIRECTOR**

- (A) REQUEST FOR APPROVAL OF ORDINANCE NO. 2012-01, AN ORDINANCE TO REPEAL AND REPLACE ORDINANCE 2010-1, ENTITLED *CREATING FEES, RATES, AND CHARGES FOR USE AT ALL FACILITIES OPERATED BY THE SANTA FE SOLID WASTE MANAGEMENT AGENCY FOR THE PURPOSE OF REVISING SAID ORDINANCE.***

Mr. Kippenbrock presented information regarding this matter from his Memorandum of May 21, 2012, with attachments, to the SFSWMA Joint Powers Board, which is incorporated herewith to these minutes as Exhibit "1." Please see Exhibit "1" for specifics of this presentation.

#### **Public Comment**

There was no one from the public speaking for or against the adoption of the Ordinance.



**MOTION:** Councilor Dimas moved, seconded by Councilor Rivera, to adopt Ordinance No. 2012-01, as presented by staff.

**VOTE:** The motion was approved on the following Roll Call vote:

**For:** Commissioner Vigil, Councilor Dimas, Commissioner Holian and Councilor Rivera.

**Against:** None.

## **VII. MATTERS FROM THE BOARD**

Commissioner Holian would like a report at the next meeting on the green waste day.

Responding to a question from Ms. Merrill, Mr. Kippenbrock said the discussion and possible action on the continuation of the Catalog Choice Program, will be on the next Board agenda.

## **VIII. NEXT MEETING DATE**

The next regular meeting will be held on June 21, 2012, at 12:00 noon, in the Legal Conference Room, Santa Fe County Courthouse.

## **X. ADJOURNMENT**

There was no further business to come before the Board.

**MOTION:** Commissioner Holian, seconded by Councilor Rivera, to adjourn the meeting.

**VOTE:** The motion was approved unanimously on a voice vote [4-0], the meeting was adjourned at approximately 12:45 p.m.

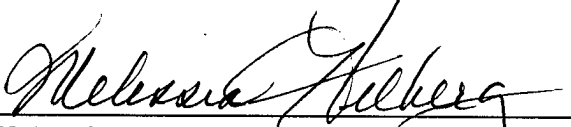


**APPROVED BY:**

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Virginia Vigil, Chair

**SUBMITTED BY:**




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Melessia Helberg, Committee Stenographer



# MEMORANDUM

**To:** SFSWMA Joint Powers Board Members  
**From:** Randall Kippenbrock, P.E., Executive Director   
**Date:** May 21, 2012  
**Subject:** Request for Approval of Ordinance 2012-\_\_, an Ordinance to Repeal and Replace Ordinance 2010-1 Entitled Creating Fees, Rates, and Charges for Use at All Facilities Operated by the Santa Fe Solid Waste Management Agency for the Purpose of Revising Said Ordinance.

## BACKGROUND AND SUMMARY:

The Board authorized Agency staff to publish title and general summary of Ordinance 2012-\_\_ at its regular scheduled meeting held on April 19, 2012. This was accomplished with a certified legal advertisement in the Santa Fe New Mexican on April 26, 2012, and in accordance with state and local requirements.

The packet material presented to the Board on April 19, 2012, is attached for reference.

Revisions made to the proposed ordinance after being published are as follows:

1. Clarified the gross vehicle weights for small vehicles using the transfer station under Exhibit A - Schedule of Fees by correcting the lower weight for the \$12.00/load category from 5,500 to 5,501 pounds to avoid any confusion with the \$9.00/load category, which already has an upper vehicle gross vehicle weight at 5,500 pounds.
2. Change Vice Chair to Chair on the signatory page.

## ACTIONS REQUESTED:

Agency staff requests approval of Ordinance 2012-\_\_, an ordinance to repeal and replace Ordinance 2010-1 entitled creating fees, rates, and charges for use at all facilities operated by the Santa Fe Solid Waste Management Agency for the purpose of revising said ordinance.

Attachments: Ordinance 2012-\_\_  
April 19, 2012 Packet Material for Ordinance 2012-\_\_



**ATTACHMENT**

Ordinance 2012-\_\_\_\_



1                   **SANTA FE SOLID WASTE MANAGEMENT AGENCY**

2                   **ORDINANCE 2012-\_\_\_\_\_**

3  
4  
5   **AN ORDINANCE REPEALING AND REPLACING ORDINANCE 2010-1 ENTITLED**  
6   **CREATING FEES, RATES AND CHARGES FOR USE AT ALL FACILITIES**  
7   **OPERATED BY THE SANTA FE SOLID WASTE MANAGEMENT AGENCY FOR**  
8   **THE PURPOSE OF REVISING SAID ORDINANCE.**

9  
10   **BE IT ORDAINED BY THE JOINT POWERS BOARD OF THE SANTA FE SOLID**  
11   **WASTE MANAGEMENT AGENCY:**

12  
13   **Section 1. PURPOSE.** The purpose of this ordinance is to set forth the fees, rates, charges and  
14   conditions of service that shall be applicable at all facilities operated by the Santa Fe Solid Waste  
15   Management Agency.

16   **Section 2. LEGISLATIVE AUTHORITY.** The Santa Fe Solid Waste Management Agency  
17   was created by means of a duly approved Joint Powers Agreement between the City of Santa Fe  
18   and Santa Fe County acting under the authority of the Joint Powers Agreement Act (being  
19   Section 11-1-1 through 11-1-7, NMSA 1978). The governing body of the agency is a Board of  
20   Directors designated in accordance with the Joint Powers Agreement.

21   **Section 3. DEFINITIONS**

22   **Composted Mulch:** A product produced under a controlled aerobic thermophilic biological  
23   decomposition process and that meets the New Mexico Department of Transportation minimum  
24   specifications for composted mulch. Raw materials for composted mulch may include green  
25   waste and manure.



1 **Commercial Truck Tire:** Scrap tires with rim size more than 20 inches.

2 **Conditionally Exempt Small Quantity Generator (CESQG):** A generator that produces no  
3 more than 220 pounds of hazardous waste, or no more than 2.2 pounds of acutely hazardous  
4 waste, in a calendar month.

5 **Construction and Demolition (C&D) Waste:** Waste generated from the construction or  
6 demolition of a structure. C&D waste can consist of, but is not limited to, steel, brick, concrete,  
7 asphalt, roofing materials, pipe, gypsum board, wallboard, lumber, glass, paper, cartons, rubber,  
8 and plastics. C&D waste does not include regulated asbestos, garbage, hazardous materials,  
9 liquids, paints, solvents, adhesives, or sealers.

10 **Contaminated Load:** Any load of recyclables which contains materials other than those  
11 specified in an amount exceeding 10% by volume in a visual inspection.

12 **Conventional Recyclables:** Those materials defined as acceptable for recycling and posted at  
13 the facilities. Recyclables include, but are not limited to, old newspaper (ONP), old corrugated  
14 cardboard (OCC), magazines, junk mail, office paper, aluminum cans (UBC), aluminum foil,  
15 steel cans, #1 PET plastic bottles, #2 HDPE plastic bottles and glass bottles and jars prepared in  
16 accordance with SFSWMA's published requirements.

17 **Dead Animals:** Large animals typical of all breeds of livestock: cows, pigs, and horses; and  
18 small animals such as domestic cats and dogs. Dead animals include wildlife resulting from road  
19 kills but not from infectious diseases.

20 **Electronic Waste (E-Waste):** Category of surplus, obsolete, broken or discarded electronic  
21 devices including, but not limited to, computers, monitors, keyboards, mice, scanners, various  
22 computer peripherals, security equipment, fax and copy machines, cell phones and telephone  
23 equipment.

24 **Executive Director:** The Executive Director of the SFSWMA, as designated by the JPB.

25 **Facilities:** All facilities operated by the SFSWMA including the following;



**Landfill Facility:** Caja del Rio Landfill located at 149 Wildlife Way, Santa Fe, NM 87506.

**Recycling & Transfer Facility:** Buckman Road Recycling and Transfer Station (BuRRT) located at 2600 Buckman Road, Santa Fe, NM 87507.

**Freon Bearing Device:** Any device which contains and uses five (5) pounds or less of a Class I (CFC) or Class II (HCFC) substance as a refrigerant and which is used for household or commercial purposes, including any air conditioner, refrigerator, chiller or freezer.

**Generator:** Any person that produces solid waste by site or location to be shipped to any other site or location, or whose act or process produces a solid waste to first cause to become regulated.

**Glass Aggregate:** Glass bottles and jars which have been pulverized to produce two separate grades of aggregate <1/8 inch nominal size and <3/8 inch nominal size.

**Green Waste:** Vegetative organic matter resulting from landscaping, land maintenance and agricultural operations. Green waste includes, but is not limited to, cuttings and trimmings from trees, shrubs, or lawns and similar materials. Green waste does not include rock, dirt, metal, plastic, paper or any type of construction and demolition materials.

**Gross Vehicle Weight (GVW):** The total weight of the vehicle, any trailer, its occupants and contents.

**Household Hazardous Waste (HHW):** Leftover household products such as paints, cleaners, oils, batteries, and pesticides that contain potentially hazardous ingredients which require special handling when disposed of.

**Immediate Burial:** All materials including dead animals requiring immediate and secure disposal.

**Joint Powers Agreement (JPA):** The agreement between the City of Santa Fe and Santa Fe County which created the SFSWMA and conveys certain authorities and responsibilities to the



1 SFSWMA related to the construction, operation, maintenance, replacement, expansion and  
2 closure of a solid waste facility.

3 **Joint Powers Board (JPB):** The JPB which is the governing body of the SFSWMA and which  
4 is designated in accordance with the Joint Powers Agreement.

5 **Mercury-Containing Lamp:** Any bulb or tube portion of the lighting device that contains a  
6 small amount of elemental mercury.

7 **Manure:** Agriculture waste composed of animal waste and animal bedding materials that  
8 originated from sites approved by the SFSWMA and contains no contamination such as  
9 veterinary waste.

10 **Mulch:** Ground green waste of which 100% of material passes a two (2) inch screen and has  
11 been cured a minimum of ninety (90) days.

12 **Non-Freon Bearing Appliance:** Household appliances which are not designed to utilize Freon,  
13 including, but not limited to, stoves/ranges, hot water heaters, dishwashers and laundry machines  
14 which are a minimum of 60% metal by weight.

15 **Owner:** Owner, business owner or corporate owner responsible for waste and/or recycling being  
16 delivered to the facilities for disposal or recovery. The owner, business owner, or corporate  
17 owner will be responsible for certifying that all waste and recyclables meet New Mexico  
18 Environment Department, Federal, City and County rules, regulations and ordinances. The  
19 owner, business owner, or corporate owner will be responsible for all waste and recycling  
20 disposal and processing costs.

21 **Oversized Mulch:** Ground green waste of which 100% of material does not pass a 2" screen.

22 **Passenger Tires:** Scrap tires with rim size of 20 inches or smaller. Passenger tires include tires  
23 from motorcycles and ATV's.

24 **Permits:** The permits issued by the New Mexico Environment Department which authorize and  
25 direct the respective facility's operations.



1 **Petroleum Contaminated Soil:** The owner/generator of petroleum contaminated soil shall assure  
2 that all petroleum contaminated soils are tested under the requirements of 20.9.8.11 and 20.9.8.15  
3 NMAC including total petroleum hydrocarbons (TPH) and other contaminants as required by  
4 facility's disposal management plan.

5 **Salvaging:** The controlled removal of materials for utilization, recycling, or sale.

6 **Santa Fe Solid Waste Management Agency (SFSWMA):** A joint powers agency created by  
7 the JPA and governed by the JPB.

8 **Scavenging:** The uncontrolled and unauthorized removal of materials from any point at the  
9 solid waste facilities.

10 **Schedule of Fees:** The schedule of fees, rates and charges assessed to persons making use of the  
11 facilities.

12 **Scrap Metal:** Appliances and other objects which consist of a minimum of 60% metal by  
13 weight. Scrap metal includes, but is not limited to, household appliances, some building  
14 materials and auto parts.

15 **Scrap Tire:** A tire that is no longer suitable for its originally intended purpose because of wear,  
16 damage or defect.

17 **Sludge:** Any solid, semi-solid, or liquid waste generated by a municipal, commercial or  
18 industrial waste water treatment plant, water supply treatment plant, or air pollution control  
19 facility. Sludge does not include treated effluent from a waste water treatment plant. The  
20 owner/generator shall assure that the sludge is tested under the requirements of 20.9.8.11 and  
21 20.9.8.16 NMAC and as required by facility's disposal management plan.

22 **Solid Waste:** All putrescible and non-putrescible materials generated or originating from  
23 residential, commercial, industrial, mining, or community activities or from agricultural  
24 operations that are discarded or rejected, whether (i) as being spent, useless, worthless or in  
25 excess to the owners at the time of such discard or rejection, (ii) as having served their intended



1 use, or (iii) for any other reason. Solid waste does not include materials accepted for recycling or  
2 reuse or materials specifically prohibited by Section 7 of this ordinance.

3 **Uncovered / Unsecured Load:** Any load from which litter and debris can blow out of or fall  
4 from a vehicle.

#### 5 **Section 4. GENERAL PROVISIONS**

6 **A. Establishment of Enterprise Fund.** For the purpose of defraying all expenses of  
7 receiving, disposing or recycling of solid wastes and recyclables a regional solid waste  
8 agency enterprise fund has been created. The SFSWMA shall establish fees, rates and  
9 charges designed to recover the full cost of services for the various services provided. All  
10 revenues received from fees, rates and charges shall be credited to the fund. The fund  
11 shall pay all direct and indirect operating expenses as well as principal and interest  
12 payments and all other costs of bond indebtedness.

13 **B. Authority to Accept Waste and Recyclables:** The SFSWMA shall at all times  
14 have the sole and exclusive right to determine whether it shall receive, retain, reject,  
15 dispose of or recycle any solid waste or recyclable.

#### 16 **Section 5. ESTABLISHMENT OF FEE CATEGORIES**

17 **A. Schedule of Fees.** The rates, fees and charges assessed to persons making use of  
18 the facilities shall be in accordance with the Schedule of Fees and with the service classes  
19 described herein. The Schedule of Fees is hereby adopted by reference and incorporated  
20 hereto as Exhibit A and made effective upon adoption of this ordinance. In accordance  
21 with the Gross Receipts and Compensating Tax Act, Section 7-9-4.3, NMSA 1978, a  
22 governmental gross receipts tax of up to 5% shall be imposed on each billing rendered in  
23 accordance with this ordinance.



**B. Service Classes.**

**1. Landfill Service.** Mixed or separated solid waste intended for disposal at the Caja del Rio Landfill Facility. Landfill service is generally restricted to those vehicles which exceed 12,500 pounds GVW. The fee is established on the basis of weight as determined by the Landfill Facility and charged to the nearest twenty (20) pounds.

**2. Transfer Service.** Mixed or separated solid waste delivered to the Buckman Road Recycling & Transfer Station Facility and intended for transfer to the Caja del Rio Landfill Facility. Transfer service is generally restricted to vehicles which do not exceed 12,500 pounds GVW. The fee is established on the basis of weight as determined by the Recycling & Transfer Facility and charged to the nearest twenty (20) pounds.

**3. Recycling Service.** Mixed or separated conventional recyclables, green waste, scrap tires or scrap metal intended for recycling and delivered to the Buckman Road Recycling & Transfer Station Facility. Recycling service shall not be restricted by GVW. The fee is established on the basis of weight as determined by the Buckman Road Recycling & Transfer Station Facility and charged to the nearest twenty (20) pounds.

**4. Contract Service.** Solid waste or recyclables delivered to the facilities in a quantity or condition which merit special consideration through a contractual fee agreement. Contract service shall also apply to any materials produced for resale by the SFSWMA. All contractual fee agreements shall meet the requirements of relevant local and state procurement laws and regulations, and, where applicable, the requirements of SFSWMA Policy No. 2010.1, Purchasing Procedures and Finance Policy.



1           **5. Material Sales.** The sale of materials produced by the SFSWMA and  
2           priced in accordance with this Ordinance or prevailing market price or sold to the  
3           highest qualified bidder.

4   **Section 6. BILLING AND COLLECTION**

5           **A.** The Executive Director shall establish procedures for the rendering of bills and  
6           receipt of payment including service contracts, security deposits and other guarantees of  
7           payment.

8           **B.** Fees are due within thirty (30) days following each monthly billing or as the  
9           Executive Director shall authorize. Any billed amount not paid by the date due shall  
10          become delinquent on that date.

11          **C.** A penalty of one and one half percent (1.5%) per month may be charged on all  
12          amounts which are delinquent.

13          **D.** The Executive Director may pursue all available means of collection of  
14          delinquent amounts including termination of use of the facility.

15          **E.** Filing a complaint regarding fees, rates and charges does not relieve a customer  
16          from making payments in a timely fashion. If it is determined that a customer was over  
17          charged, the customer will be entitled to an appropriate refund.

18          **F.** Cash transactions including cash, checks, and debit/credit cards shall be rounded  
19          to the nearest five (5) cents. Charge transactions for monthly billing shall be rounded to  
20          the nearest one (1) cent.

21   **Section 7. PROHIBITED MATERIALS**

22          **A.** The SFSWMA will not accept the following materials at any facility;

- 23           1. Bulk or non-containerized liquids as defined by 20.9.2.10 NMAC
- 24           2. Compressed gas cylinders and tanks
- 25           3. Explosives and ammunition



4. Regulated hazardous waste
5. Infectious waste
6. Lead acid batteries
7. Medicine and prescription drugs under the Controlled Substances Act
8. PCB's and any material regulated by the Federal Toxic Substances Control Act
9. Radioactive waste
10. Solid waste as determined by the SFSWMA to pose a potential risk or hazard to the environment may be required to be tested to ascertain the nature of its constituents in determining the appropriate handling and disposal method. Testing may also be used to verify the SFSWMA's authority to accept certain solid waste. All testing will be the responsibility of the owner/generator.
11. Special wastes including:
  - a. treated formerly characteristic hazardous waste
  - b. packing house and killing plant offal
  - c. regulated asbestos waste
  - d. ash
  - e. infectious waste
  - f. industrial solid waste
  - g. spill of a chemical substance or commercial product which requires special handling, dry chemicals, which, when wetted, become characteristically hazardous, wastes which meet RCRA Hazardous Waste Identification Rule levels or land disposal restriction cap levels under RCRA Subtitle C.
  - h. special waste not otherwise specified



B. Other materials that are accepted at each facility are defined in Exhibit B, Accepted Materials Table, which is hereby adopted by reference and made effective upon adoption of this ordinance.

**Section 8. HOURS OF OPERATION.** The Executive Director shall establish hours of operation for each facility and said hours shall be ratified and approved by the JPB. The hours of operation are hereby adopted by reference and incorporated hereto as Exhibit C and made effective upon adoption of this ordinance.

**Section 9. INCLEMENT WEATHER OPERATIONS.** The Director shall have the authority to order the temporary closure of any SFSWMA facility when weather conditions cause the use of the respective facility to be unsafe to customers or SFSWMA personnel.

**Section 10. EFFECTIVE DATE.** This ordinance shall be in full force and effect upon adoption and thirty (30) days after its publication, but not before July 1, 2012 and as provided by law.

PASSED, ADOPTED, SIGNED AND APPROVED THIS \_\_\_\_<sup>th</sup> DAY OF MAY, 2012.

SANTA FE SOLID WASTE MANAGEMENT  
AGENCY

By: \_\_\_\_\_  
Virginia Vigil, Chair

APPROVED AS TO FORM:

ATTEST:

Justin W. Miller  
Agency Attorney

Valerie Espinosa  
County Clerk



**EXHIBIT A**  
**SCHEDULE OF FEES**  
**(Effective July 1, 2012)**

**Landfill Service**

Commercial Vehicles

Vehicles 12,500-18,000 lbs GVW ..... \$50.00/Ton

Vehicles greater than 18,000 lbs GVW ..... \$40.00/Ton

Immediate Burial ..... \$80.00/Ton

Petroleum Contaminated Soil (>1,000 ppm TPH)..... \$60.00/Ton

Uncovered Load Surcharge..... \$25.00/Load

Minimum Load Charge..... \$5.00/Load

Use of Scale for Weighing Only ..... \$15.00/Weigh

**Transfer Service**

Vehicles less than 4,500 lbs GVW ..... \$6.00/Load

Vehicles 4,500-5,500 lbs GVW ..... \$9.00/Load

Vehicles 5,501-6,500 lbs GVW ..... \$12.00/Load

Vehicles greater than 6,500 lbs GVW ..... \$50.00/Ton

Vehicles with Trailers ..... \$50.00/Ton

Uncovered Load Surcharge..... \$15.00/Load

Minimum Load Charge..... \$6.00/Load

Use of Scale for Weighing Only ..... \$15.00/Weigh

**Recycling Service**

Conventional Recycling Excluding Glass (Inside Santa Fe County) ..... No Charge  
(Vehicles in excess 10,000 lbs GVW)

Conventional Recycling Excluding Glass (Outside Santa Fe County)..... \$20.00/Ton



(Vehicles in excess of 10,000 lbs GVW)

Glass (Vehicles in excess of 10,000 lbs GVW).....	\$15.00/Ton
Drop-Off Recycling (Vehicles less than 10,000 GVW) .....	No Charge
Green Waste.....	\$20.00/Ton
Contaminated Green Waste .....	\$60.00/Ton
Household Hazardous Waste (Santa Fe Residents Only) .....	\$50.00/Ton*
Electronic Waste (E-Waste).....	\$50.00/Ton*
Scrap Tires .....	\$160.00/Ton
Passenger Tires .....	\$2.00/Tire
Commercial Truck Tires .....	\$6.00/Tire
Scrap Metal .....	\$15.00/Ton*
Freon Bearing Appliance (contains CFC's).....	\$10.00/Unit
Non-Freon Bearing Appliance (White Goods) .....	\$5.00/Unit
Mercury-Containing Lamp .....	No Charge
Unsecured Load Surcharge.....	\$15.00/Load
Minimum Load Charge.....	\$5.00/Load

*\*No Minimum Load Charge Applies*

#### **Material Sales**

Composted Mulch.....	\$7.50/yd <sup>3</sup>
Screened Compost .....	\$10.00/yd <sup>3</sup>
Mulch .....	\$3.00/yd <sup>3</sup>
Oversized Mulch.....	\$0.50/yd <sup>3</sup>
Compost and Mulch Available to the Public (less than 1 yd <sup>3</sup> ) .....	No Charge
Glass Aggregate .....	\$5.00/Ton
Glass Aggregate Available to the Public (less than 1 yd <sup>3</sup> ) .....	No Charge



1 Tire Bale..... \$5.00/Unit

2 Processed Conventional Recycling..... Highest Bid Price

3 Processed Electronic Scrap..... Highest Bid Price

4 Recovered Scrap Metal..... Highest Bid Price

6 **The rest of this page is intentionally left blank.**



1 **EXHIBIT B**

2 **ACCEPTED MATERIAL TABLE**

3 <b>Material Type</b>	4 <b>Caja del Rio</b>	5 <b>Landfill</b>	6 <b>Buckman Road</b>
7			8 <b>Recycling &amp;</b>
9			10 <b>Transfer Station</b>
11 Vehicles greater than 12,500 lbs GVW	Yes	No	
12 Vehicles with Self-Dumping Trailers	Yes	No	
13 Dead Animals	Yes	No	
14 Large/Bulky Items Exceeding Limits for Transfer Service	Yes	No	
15 Petroleum Contaminated Soils	Yes	No	
16 Sludge	Yes	No	
17 Vehicles less than 12,500 lbs GVW	No	Yes	
18 Vehicles with Trailers Requiring Manual Unloading	No	Yes	
19 Conventional Recycling	No	Yes	
20 Green Waste	No	Yes	
21 Manure	No	Yes	
22 Scrap Metal	No	Yes	
23 Scrap Tires	No	Yes	
24 Electronic Scrap	No	Yes	
25 Mercury-Containing Lamp	No	Yes	
26 Freon Bearing Appliance	No	Yes	
27 Non-Freon Bearing Appliance	No	Yes	
Household Hazardous Waste	No	Yes	



1 **EXHIBIT C**

2 **HOURS OF OPERATION**

3  
4 **Caja del Rio Landfill**

5 Monday - Saturday 7:00 am – 5:00 pm\*

6 Closed Sundays and Landfill Posted Holidays

7 \**Commercial Account Holders Only Between 4:00 pm and 5:00 pm*

8 **Landfill Posted Holidays**

9 New Year's Day

10 Thanksgiving Day

11 Christmas Day

12 **Buckman Road Recycling and Transfer Station (BuRRT)**

13 Sunday – Saturday 8:00 am – 4:45 pm\*

14 Closed BuRRT Posted Holidays

15 \**Loads must be unloaded and out by 5:00 pm*

16 **BuRRT Posted Holidays**

17 New Year's Day

18 Easter Sunday

19 Memorial Day

20 Independence Day

21 Labor Day

22 Thanksgiving Day

23 Christmas Day



**ATTACHMENT**

April 19, 2012 Packet Material for Ordinance 2012-\_\_\_\_



# MEMORANDUM

**To:** SFSWMA Joint Powers Board Members  
**From:** Randall Kippenbrock, P.E., Executive Director *(RLE)*  
**Date:** April 15, 2012  
**Subject:** Request for Authorization to Publish Title and General Summary of Ordinance 2012-\_\_\_\_, an Ordinance to Repeal and Replace Ordinance 2010-1 Entitled Creating Fees, Rates, and Charges for Use at All Facilities Operated by the Santa Fe Solid Waste Management Agency for the Purpose of Revising Said Ordinance.

## BACKGROUND AND SUMMARY:

The Agency currently uses tipping fees (rates) established by Ordinance 2010-1. The rates were based on revised waste projections of 150,000 tons per year at the Caja del Rio Landfill starting October 2010. The tons were revised from 200,000 to 150,000 due to several declining years of waste processed at the landfill. The rates were set to increase incrementally for three fiscal years (FY 2010-11, FY 2011-12, and FY 2012-13) to minimize the financial impacts to customers.

The Agency has operated the Buckman Road Recycling and Transfer Station (BuRRT) since January 2006. All vehicles stop at the scalehouse and then are directed to the designated areas to unload their materials. Self-haul and commercial vehicles that have a recorded tare weight (i.e., vehicle weight when empty) are not required to reweigh upon exiting the transfer station. Vehicles with trailers and vehicles with green waste are required to reweigh due to the high variability of gross weight (i.e., combined weight of vehicle, trailer, its occupants, contents and materials) and for the purpose of assessing a prorated fee on the net weight of the materials. Small vehicles (automobiles, vans, small and mid-sized pickup trucks) with gross weight less than 6,000 pounds are assessed one of two flat fees as follows: if the vehicle weighs less than 4,000 pounds the fee is \$5.00 per load plus gross receipts tax, and if it weighs between 4,000 – 6,000 pounds the fee is \$10.00 per load plus gross receipts tax. The purpose of the flat fees is to provide convenience for the users by not requiring to reweigh at the scalehouse upon exiting the transfer station and to prevent long waiting lines at the inbound and outbound scales (~25,000 transactions; 35% of all transactions).

With the next rate increase set for July 1, 2012, the 2-tier flat fee system is scheduled to increase from \$5.00 to \$6.00 per load and from \$10.00 to \$12.00 per load to ensure equity between vehicles under the flat fee system and those that are required to reweigh at \$50.00 per ton. The current system has been effective; however, the Agency



recognizes there may be an apparent disparity between the \$6.00 and \$12.00 loads that may lead to customer dissatisfaction. The Agency also proposes to overcome this disproportion by implementing a 3-tier flat fee system as shown on the following table.

Vehicle Type	Vehicle Weight <sup>(1)</sup>	Fee
Cars, small pickup trucks	<4,500 pounds	\$6.00
½ ton pickup trucks, vans, small SUVs	4,500 – 5,500 pounds	\$9.00
¾ ton pickup trucks, large SUVs	5,520 – 6,500 pounds	\$12.00
Cars and pickup trucks with trailers	>6,500 pounds	\$50/ton, prorated

<sup>(1)</sup>Vehicle weight is based on gross vehicle weight.

The following table shows the impact of the proposed 3-tier flat fee system rates based on data from April 1, 2011 to March 31, 2012 for vehicles weighing less than 6,500 pounds. The data does not include commercial accounts, vehicles with green waste, and vehicles with trailers, which are vehicles that have tare weights or required reweigh. Comparison of the revenues between the 2-tier and 3-tier flat fee systems shows vehicles in all categories resulting in comparable revenues.

# of Vehicles	Current Fee	Revenue	Proposed Fee	Revenue
7,705	\$5/load (<4,000 lbs)	\$40,451	\$6/load (<4,500 lbs)	\$48,542
19,603	\$10/load (4,000-6,000 lbs)	\$205,832	\$9/load (4,500-5,500 lbs)	\$92,629
-	-	-	\$12/load (5,520-6,500 lbs)	\$123,505
32	Reweigh vehicles (<4,500 lbs)	\$236	Reweigh vehicles (<4,500 lbs)	\$210
32	Reweigh vehicles (<5,500 lbs)	\$360	Reweigh vehicles (<5,500 lbs)	\$423
4,526	Reweigh vehicles (<6,500 lbs)	\$54,639	Reweigh vehicles (<6,500 lbs)	\$48,050
31,898	-	\$301,518	-	\$313,359

The Agency currently accepts only cash and checks for transactions at the landfill and transfer station unless a customer has established a commercial account with the Agency. Commercial accounts are generally set up for private hauling companies, government entities, schools, hospitals, non-profit groups, private firms, contractors, demolition companies and self-haulers that utilize the facilities on a frequent basis. Commercial accounts require payment bonds or advanced payments. This method works well for most customers using the landfill. Conversely, approximately 80% of the customers that use the transfer station pay with cash or checks (\$814,810 from April 2011 to March 2012).

The Agency has received numerous requests from customers for the Agency to accept debit/credit cards at the landfill and transfer station. Based on the card processing industry standard, approximately 60% of cash transactions (\$489,000) at the transfer station would be completed with debit/credit cards. The Agency currently uses a Carolina Software called WasteWorks for ticket transactions. Carolina Software offers integrated credit card processing through PowerPay. With an integrated system there are no external terminals. It can save processing steps and time at the end of a transaction



and eliminate key-entry mistakes that might be made by using an external terminal. If a transaction needs to be voided in WasteWorks, it automatically reverses the credit card charge. PowerPay requires no contracts and offers 24/7 support service.

The Agency reviewed card processing rates offered by both PowerPay and its current bank, Wells Fargo Bank. Although both companies offered comparable rates, Powerpay has two distinctive advantages over Wells Fargo Bank: no external terminals required to integrate with WasteWorks, and fewer variable rates for transactions. For PowerPay in general, the authorization (swipe) charge is \$0.20 per transaction. The transaction fee (total dollar amount of transaction) is based on the following cards: debit cards (1.49%), qualified consumer credit cards (1.70%), mid qualified rewards cards (2.19%), and non-qualified corporate cards (3.09%). Based on the authorization charge and transaction fee by PowerPay, the Agency estimates the annual cost for a card processing service will be \$20,000 per year.

The following is a history of ordinances for fees:

- Ordinance 1996-1, original fee ordinance for Caja del Rio Landfill.
- Ordinance 1997-1, replaced Ordinance 1996-1, deleted minimum fee on "dead animals."
- December 1998, adoption of residential fee schedule to allow small vehicles at the landfill.
- Ordinance 2002-2, established fees for a green waste program due to the pine bark beetle infestation.
- Ordinance 2005-1, replaced Ordinance 1997-1, realigned previous fees along with new fees due to the expansion of BuRRT.
- Ordinance 2009-1 replaced Ordinance 2005-1, established fees for the facilities based on financial modeling.
- Ordinance 2010-1 replaced Ordinance 2009-1, established fees for FY 2010-11 through FY 2012-13 for the facilities based on financial modeling.

The salient points of the Ordinance 2012-\_\_ are:

1. Adjusts the Schedule of Fees in "Exhibit A" for services as follows:
  - a. Deletes Exhibits A1 and A2 showing former rates for 2011 and 2012 fiscal years and renames Exhibit A3 as Exhibit A.
  - b. Sets landfill tipping fee at \$40.00/ton for vehicles greater than 18,000 lbs GVW.
  - c. Sets landfill tipping fee at \$50.00/ton for vehicles 12,500 lbs to 18,000 lbs GVW.
  - d. Sets transfer station tipping fee at \$50.00/ton for vehicles greater than 6,500 lbs GVW and vehicles with trailers.
  - e. Provides a 3-tier flat fee system for small and mid-sized vehicles weighing less than 6,500 lbs at the transfer station at \$6.00, \$9.00, and \$12.00 per load based on gross vehicle weight.



- f. Sets minimum load charge for transfer service at \$6.00 per load.
2. Changes E-scrap to E-waste in Section 3 – Definitions.
3. Updates Section 5 – Establishment of Fee Categories.
4. Includes debit/credit cards for transactions in Section 6 – Billing and Collection.
5. Adds the category - special waste not otherwise specified in Section 7 - Prohibited Materials.
6. Provides effective date of July 1, 2012 in Section 10 – Effective Date.

**ACTIONS REQUESTED:**

The Agency requests authorization to publish title and general summary of Ordinance 2012-\_\_\_\_, an Ordinance to Repeal and Replace Ordinance 2010-1 Entitled Creating Fees, Rates, and Charges for Use at All Facilities Operated by the Santa Fe Solid Waste Management Agency for the Purpose of Revising Said Ordinance.

Attachments: Proposed Ordinance 2012-\_\_\_\_  
Red Line Version of Ordinance 2010-1  
Ordinance 2010-1



ATTACHMENT

Proposed Ordinance 2012-\_\_\_\_\_



1                               **SANTA FE SOLID WASTE MANAGEMENT AGENCY**

2   **ORDINANCE 2012-\_\_**

3  
4  
5   **AN ORDINANCE REPEALING AND REPLACING ORDINANCE 2010-1 ENTITLED**  
6   **CREATING FEES, RATES AND CHARGES FOR USE AT ALL FACILITIES**  
7   **OPERATED BY THE SANTA FE SOLID WASTE MANAGEMENT AGENCY FOR**  
8   **THE PURPOSE OF REVISING SAID ORDINANCE.**

9  
10   **BE IT ORDAINED BY THE JOINT POWERS BOARD OF THE SANTA FE SOLID**  
11   **WASTE MANAGEMENT AGENCY:**

12  
13   **Section 1. PURPOSE.** The purpose of this ordinance is to set forth the fees, rates, charges and  
14   conditions of service that shall be applicable at all facilities operated by the Santa Fe Solid Waste  
15   Management Agency.

16   **Section 2. LEGISLATIVE AUTHORITY.** The Santa Fe Solid Waste Management Agency  
17   was created by means of a duly approved Joint Powers Agreement between the City of Santa Fe  
18   and Santa Fe County acting under the authority of the Joint Powers Agreement Act (being  
19   Section 11-1-1 through 11-1-7, NMSA 1978). The governing body of the agency is a Board of  
20   Directors designated in accordance with the Joint Powers Agreement.

21   **Section 3. DEFINITIONS**

22   **Composted Mulch:** A product produced under a controlled aerobic thermophilic biological  
23   decomposition process and that meets the New Mexico Department of Transportation minimum  
24   specifications for composted mulch. Raw materials for composted mulch may include green  
25   waste and manure.



- 1 **Commercial Truck Tire:** Scrap tires with rim size more than 20 inches.
- 2 **Conditionally Exempt Small Quantity Generator (CESQG):** A generator that produces no  
3 more than 220 pounds of hazardous waste, or no more than 2.2 pounds of acutely hazardous  
4 waste, in a calendar month.
- 5 **Construction and Demolition (C&D) Waste:** Waste generated from the construction or  
6 demolition of a structure. C&D waste can consist of, but is not limited to, steel, brick, concrete,  
7 asphalt, roofing materials, pipe, gypsum board, wallboard, lumber, glass, paper, cartons, rubber,  
8 and plastics. C&D waste does not include regulated asbestos, garbage, hazardous materials,  
9 liquids, paints, solvents, adhesives, or sealers.
- 10 **Contaminated Load:** Any load of recyclables which contains materials other than those  
11 specified in an amount exceeding 10% by volume in a visual inspection.
- 12 **Conventional Recyclables:** Those materials defined as acceptable for recycling and posted at  
13 the facilities. Recyclables include, but are not limited to, old newspaper (ONP), old corrugated  
14 cardboard (OCC), magazines, junk mail, office paper, aluminum cans (UBC), aluminum foil,  
15 steel cans, #1 PET plastic bottles, #2 HDPE plastic bottles and glass bottles and jars prepared in  
16 accordance with SFSWMA's published requirements.
- 17 **Dead Animals:** Large animals typical of all breeds of livestock: cows, pigs, and horses; and  
18 small animals such as domestic cats and dogs. Dead animals include wildlife resulting from road  
19 kills but not from infectious diseases.
- 20 **Electronic Waste (E-Waste):** Category of surplus, obsolete, broken or discarded electronic  
21 devices including, but not limited to, computers, monitors, keyboards, mice, scanners, various  
22 computer peripherals, security equipment, fax and copy machines, cell phones and telephone  
23 equipment.
- 24 **Executive Director:** The Executive Director of the SFSWMA, as designated by the JPB.
- 25 **Facilities:** All facilities operated by the SFSWMA including the following;



**Landfill Facility:** Caja del Rio Landfill located at 149 Wildlife Way, Santa Fe, NM 87506.

**Recycling & Transfer Facility:** Buckman Road Recycling and Transfer Station (BuRRT) located at 2600 Buckman Road, Santa Fe, NM 87507.

**Freon Bearing Device:** Any device which contains and uses five (5) pounds or less of a Class I (CFC) or Class II (HCFC) substance as a refrigerant and which is used for household or commercial purposes, including any air conditioner, refrigerator, chiller or freezer.

**Generator:** Any person that produces solid waste by site or location to be shipped to any other site or location, or whose act or process produces a solid waste to first cause to become regulated.

**Glass Aggregate:** Glass bottles and jars which have been pulverized to produce two separate grades of aggregate <1/8 inch nominal size and <3/8 inch nominal size.

**Green Waste:** Vegetative organic matter resulting from landscaping, land maintenance and agricultural operations. Green waste includes, but is not limited to, cuttings and trimmings from trees, shrubs, or lawns and similar materials. Green waste does not include rock, dirt, metal, plastic, paper or any type of construction and demolition materials.

**Gross Vehicle Weight (GVW):** The total weight of the vehicle, any trailer, its occupants and contents.

**Household Hazardous Waste (HHW):** Leftover household products such as paints, cleaners, oils, batteries, and pesticides that contain potentially hazardous ingredients which require special handling when disposed of.

**Immediate Burial:** All materials including dead animals requiring immediate and secure disposal.



1 **Joint Powers Agreement (JPA):** The agreement between the City of Santa Fe and Santa Fe  
2 County which created the SFSWMA and conveys certain authorities and responsibilities to the  
3 SFSWMA related to the construction, operation, maintenance, replacement, expansion and  
4 closure of a solid waste facility.

5 **Joint Powers Board (JPB):** The JPB which is the governing body of the SFSWMA and which  
6 is designated in accordance with the Joint Powers Agreement.

7 **Mercury-Containing Lamp:** Any bulb or tube portion of the lighting device that contains a  
8 small amount of elemental mercury.

9 **Manure:** Agriculture waste composed of animal waste and animal bedding materials that  
10 originated from sites approved by the SFSWMA and contains no contamination such as  
11 veterinary waste.

12 **Mulch:** Ground green waste of which 100% of material passes a two (2) inch screen and has  
13 been cured a minimum of ninety (90) days.

14 **Non-Freon Bearing Appliance:** Household appliances which are not designed to utilize Freon,  
15 including, but not limited to, stoves/ranges, hot water heaters, dishwashers and laundry machines  
16 which are a minimum of 60% metal by weight.

17 **Owner:** Owner, business owner or corporate owner responsible for waste and/or recycling being  
18 delivered to the facilities for disposal or recovery. The owner, business owner, or corporate  
19 owner will be responsible for certifying that all waste and recyclables meet New Mexico  
20 Environment Department, Federal, City and County rules, regulations and ordinances. The  
21 owner, business owner, or corporate owner will be responsible for all waste and recycling  
22 disposal and processing costs.

23 **Oversized Mulch:** Ground green waste of which 100% of material does not pass a 2" screen.

24 **Passenger Tires:** Scrap tires with rim size of 20 inches or smaller. Passenger tires include tires  
25 from motorcycles and ATV's.



1 **Permits:** The permits issued by the New Mexico Environment Department which authorize and  
2 direct the respective facility's operations.

3 **Petroleum Contaminated Soil:** The owner/generator of petroleum contaminated soil shall assure  
4 that all petroleum contaminated soils are tested under the requirements of 20.9.8.11 and 20.9.8.15  
5 NMAC including total petroleum hydrocarbons (TPH) and other contaminants as required by  
6 facility's disposal management plan.

7 **Salvaging:** The controlled removal of materials for utilization, recycling, or sale.

8 **Santa Fe Solid Waste Management Agency (SFSWMA):** A joint powers agency created by  
9 the JPA and governed by the JPB.

10 **Scavenging:** The uncontrolled and unauthorized removal of materials from any point at the  
11 solid waste facilities.

12 **Schedule of Fees:** The schedule of fees, rates and charges assessed to persons making use of the  
13 facilities.

14 **Scrap Metal:** Appliances and other objects which consist of a minimum of 60% metal by  
15 weight. Scrap metal includes, but is not limited to, household appliances, some building  
16 materials and auto parts.

17 **Scrap Tire:** A tire that is no longer suitable for its originally intended purpose because of wear,  
18 damage or defect.

19 **Sludge:** Any solid, semi-solid, or liquid waste generated by a municipal, commercial or  
20 industrial waste water treatment plant, water supply treatment plant, or air pollution control  
21 facility. Sludge does not include treated effluent from a waste water treatment plant. The  
22 owner/generator shall assure that the sludge is tested under the requirements of 20.9.8.11 and  
23 20.9.8.16 NMAC and as required by facility's disposal management plan.

24 **Solid Waste:** All putrescible and non-putrescible materials generated or originating from  
25 residential, commercial, industrial, mining, or community activities or from agricultural  
26 operations that are discarded or rejected, whether (i) as being spent, useless, worthless or in



1 excess to the owners at the time of such discard or rejection, (ii) as having served their intended  
2 use, or (iii) for any other reason. Solid waste does not include materials accepted for recycling or  
3 reuse or materials specifically prohibited by Section 7 of this ordinance.

4 **Uncovered / Unsecured Load:** Any load from which litter and debris can blow out of or fall  
5 from a vehicle.

#### 6 **Section 4. GENERAL PROVISIONS**

7 **A. Establishment of Enterprise Fund.** For the purpose of defraying all expenses of  
8 receiving, disposing or recycling of solid wastes and recyclables a regional solid waste  
9 agency enterprise fund has been created. The SFSWMA shall establish fees, rates and  
10 charges designed to recover the full cost of services for the various services provided. All  
11 revenues received from fees, rates and charges shall be credited to the fund. The fund  
12 shall pay all direct and indirect operating expenses as well as principal and interest  
13 payments and all other costs of bond indebtedness.

14 **B. Authority to Accept Waste and Recyclables:** The SFSWMA shall at all times  
15 have the sole and exclusive right to determine whether it shall receive, retain, reject,  
16 dispose of or recycle any solid waste or recyclable.

#### 17 **Section 5. ESTABLISHMENT OF FEE CATEGORIES**

18 **A. Schedule of Fees.** The rates, fees and charges assessed to persons making use of  
19 the facilities shall be in accordance with the Schedule of Fees and with the service classes  
20 described herein. The Schedule of Fees is hereby adopted by reference and incorporated  
21 hereto as Exhibit A and made effective upon adoption of this ordinance. In accordance  
22 with the Gross Receipts and Compensating Tax Act, Section 7-9-4.3, NMSA 1978, a  
23 governmental gross receipts tax of up to 5% shall be imposed on each billing rendered in  
24 accordance with this ordinance.



1        **B. Service Classes.**

2        **1. Landfill Service.** Mixed or separated solid waste intended for disposal at  
3        the Caja del Rio Landfill Facility. Landfill service is generally restricted to those  
4        vehicles which exceed 12,500 pounds GVW. The fee is established on the basis  
5        of weight as determined by the Landfill Facility and charged to the nearest twenty  
6        (20) pounds.

7        **2. Transfer Service.** Mixed or separated solid waste delivered to the  
8        Buckman Road Recycling & Transfer Station Facility and intended for transfer to  
9        the Caja del Rio Landfill Facility. Transfer service is generally restricted to  
10       vehicles which do not exceed 12,500 pounds GVW. The fee is established on the  
11       basis of weight as determined by the Recycling & Transfer Facility and charged  
12       to the nearest twenty (20) pounds.

13       **3. Recycling Service.** Mixed or separated conventional recyclables, green  
14       waste, scrap tires or scrap metal intended for recycling and delivered to the  
15       Buckman Road Recycling & Transfer Station Facility. Recycling service shall  
16       not be restricted by GVW. The fee is established on the basis of weight as  
17       determined by the Buckman Road Recycling & Transfer Station Facility and  
18       charged to the nearest twenty (20) pounds.

19       **4. Contract Service.** Solid waste or recyclables delivered to the facilities in  
20       a quantity or condition which merit special consideration through a contractual  
21       fee agreement. Contract service shall also apply to any materials produced for  
22       resale by the SFSWMA. All contractual fee agreements shall meet the  
23       requirements of relevant local and state procurement laws and regulations, and,  
24       where applicable, the requirements of SFSWMA Policy No. 2010.1, Purchasing  
25       Procedures and Finance Policy.



1           **5. Material Sales.** The sale of materials produced by the SFSWMA and  
2           priced in accordance with this Ordinance or prevailing market price or sold to the  
3           highest qualified bidder.

4   **Section 6. BILLING AND COLLECTION**

5           **A.** The Executive Director shall establish procedures for the rendering of bills and  
6           receipt of payment including service contracts, security deposits and other guarantees of  
7           payment.

8           **B.** Fees are due within thirty (30) days following each monthly billing or as the  
9           Executive Director shall authorize. Any billed amount not paid by the date due shall  
10          become delinquent on that date.

11          **C.** A penalty of one and one half percent (1.5%) per month may be charged on all  
12          amounts which are delinquent.

13          **D.** The Executive Director may pursue all available means of collection of  
14          delinquent amounts including termination of use of the facility.

15          **E.** Filing a complaint regarding fees, rates and charges does not relieve a customer  
16          from making payments in a timely fashion. If it is determined that a customer was over  
17          charged, the customer will be entitled to an appropriate refund.

18          **F.** Cash transactions including cash, checks, and debit/credit cards shall be rounded  
19          to the nearest five (5) cents. Charge transactions for monthly billing shall be rounded to  
20          the nearest one (1) cent.

21   **Section 7. PROHIBITED MATERIALS**

22          **A.** The SFSWMA will not accept the following materials at any facility;

- 23           1. Bulk or non-containerized liquids as defined by 20.9.2.10 NMAC
- 24           2. Compressed gas cylinders and tanks
- 25           3. Explosives and ammunition



4. Regulated hazardous waste
5. Infectious waste
6. Lead acid batteries
7. Medicine and prescription drugs under the Controlled Substances Act
8. PCB's and any material regulated by the Federal Toxic Substances Control Act
9. Radioactive waste
10. Solid waste as determined by the SFSWMA to pose a potential risk or hazard to the environment may be required to be tested to ascertain the nature of its constituents in determining the appropriate handling and disposal method. Testing may also be used to verify the SFSWMA's authority to accept certain solid waste. All testing will be the responsibility of the owner/generator.
11. Special wastes including:
  - a. treated formerly characteristic hazardous waste
  - b. packing house and killing plant offal
  - c. regulated asbestos waste
  - d. ash
  - e. infectious waste
  - f. industrial solid waste
  - g. spill of a chemical substance or commercial product which requires special handling, dry chemicals, which, when wetted, become characteristically hazardous, wastes which meet RCRA Hazardous Waste Identification Rule levels or land disposal restriction cap levels under RCRA Subtitle C.
  - h. special waste not otherwise specified



B. Other materials that are accepted at each facility are defined in Exhibit B, Accepted Materials Table, which is hereby adopted by reference and made effective upon adoption of this ordinance.

**Section 8. HOURS OF OPERATION.** The Executive Director shall establish hours of operation for each facility and said hours shall be ratified and approved by the JPB. The hours of operation are hereby adopted by reference and incorporated hereto as Exhibit C and made effective upon adoption of this ordinance.

**Section 9. INCLEMENT WEATHER OPERATIONS.** The Director shall have the authority to order the temporary closure of any SFSWMA facility when weather conditions cause the use of the respective facility to be unsafe to customers or SFSWMA personnel.

**Section 10. EFFECTIVE DATE.** This ordinance shall be in full force and effect upon adoption and thirty (30) days after its publication, but not before July1, 2012 and as provided by law.

PASSED, ADOPTED, SIGNED AND APPROVED THIS \_\_\_\_ DAY OF MAY, 2012.

SANTA FE SOLID WASTE MANAGEMENT  
AGENCY

By: \_\_\_\_\_  
Virginia Vigil, Vice-Chair

APPROVED AS TO FORM:

ATTEST:

Justin W. Miller  
Agency Attorney

Valerie Espinosa  
County Clerk



**EXHIBIT A**

**SCHEDULE OF FEES**

**(Effective July 1, 2012)**

**Landfill Service**

**Commercial Vehicles**

Vehicles 12,500-18,000 lbs GVW ..... \$50.00/Ton

Vehicles greater than 18,000 lbs GVW ..... \$40.00/Ton

Immediate Burial ..... \$80.00/Ton

Petroleum Contaminated Soil (>1,000 ppm TPH) ..... \$60.00/Ton

Uncovered Load Surcharge ..... \$25.00/Load

Minimum Load Charge ..... \$5.00/Load

Use of Scale for Weighing Only ..... \$15.00/Weigh

**Transfer Service**

Vehicles less than 4,500 lbs GVW ..... \$6.00/Load

Vehicles 4,500-5,500 lbs GVW ..... \$9.00/Load

Vehicles 5,500-6,500 lbs GVW ..... \$12.00/Load

Vehicles greater than 6,500 lbs GVW ..... \$50.00/Ton

Vehicles with Trailers ..... \$50.00/Ton

Uncovered Load Surcharge ..... \$15.00/Load

Minimum Load Charge ..... \$6.00/Load

Use of Scale for Weighing Only ..... \$15.00/Weigh

**Recycling Service**

Conventional Recycling Excluding Glass (Inside Santa Fe County) ..... No Charge

(Vehicles in excess 10,000 lbs GVW)



1	Conventional Recycling Excluding Glass (Outside Santa Fe County) .....	\$20.00/Ton
2	(Vehicles in excess of 10,000 lbs GVW)	
3	Glass (Vehicles in excess of 10,000 lbs GVW).....	\$15.00/Ton
4	Drop-Off Recycling (Vehicles less than 10,000 GVW).....	No Charge
5	Green Waste .....	\$20.00/Ton
6	Contaminated Green Waste.....	\$60.00/Ton
7	Household Hazardous Waste (Santa Fe Residents Only).....	\$50.00/Ton*
8	Electronic Waste (E-Waste) .....	\$50.00/Ton*
9	Scrap Tires.....	\$160.00/Ton
10	Passenger Tires.....	\$2.00/Tire
11	Commercial Truck Tires.....	\$6.00/Tire
12	Scrap Metal.....	\$15.00/Ton*
13	Freon Bearing Appliance (contains CFC's) .....	\$10.00/Unit
14	Non-Freon Bearing Appliance (White Goods).....	\$5.00/Unit
15	Mercury-Containing Lamp.....	No Charge
16	Unsecured Load Surcharge.....	\$15.00/Load
17	Minimum Load Charge .....	\$5.00/Load

18     *\*No Minimum Load Charge Applies*

#### 19     **Material Sales**

20	Composted Mulch.....	\$7.50/yd <sup>3</sup>
21	Screened Compost.....	\$10.00/yd <sup>3</sup>
22	Mulch.....	\$3.00/yd <sup>3</sup>
23	Oversized Mulch.....	\$0.50/yd <sup>3</sup>
24	Compost and Mulch Available to the Public (less than 1 yd <sup>3</sup> ).....	No Charge
25	Glass Aggregate.....	\$5.00/Ton



Glass Aggregate Available to the Public (less than 1 yd <sup>3</sup> )	No Charge
Tire Bale	\$5.00/Unit
Processed Conventional Recycling	Highest Bid Price
Processed Electronic Scrap	Highest Bid Price
Recovered Scrap Metal	Highest Bid Price

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**EXHIBIT B**

**ACCEPTED MATERIAL TABLE**

<b>Material Type</b>	<b>Caja del Rio Landfill</b>	<b>Buckman Road Recycling &amp; Transfer Station</b>
Vehicles greater than 12,500 lbs GVW	Yes	No
Vehicles with Self-Dumping Trailers	Yes	No
Dead Animals	Yes	No
Large/Bulky Items Exceeding Limits for Transfer Service	Yes	No
Petroleum Contaminated Soils	Yes	No
Sludge	Yes	No
Vehicles less than 12,500 lbs GVW	No	Yes
Vehicles with Trailers Requiring Manual Unloading	No	Yes
Conventional Recycling	No	Yes
Green Waste	No	Yes
Manure	No	Yes
Scrap Metal	No	Yes
Scrap Tires	No	Yes
Electronic Scrap	No	Yes
Mercury-Containing Lamp	No	Yes
Freon Bearing Appliance	No	Yes
Non-Freon Bearing Appliance	No	Yes
Household Hazardous Waste	No	Yes



1  
2 **EXHIBIT C**

3 **HOURS OF OPERATION**  
4

5 **Caja del Rio Landfill**

6 Monday - Saturday 7:00 am – 5:00 pm\*

7 Closed Sundays and Landfill Posted Holidays

8 *\*Commercial Account Holders Only Between 4:00 pm and 5:00 pm*

9 **Landfill Posted Holidays**

10 New Year's Day

11 Thanksgiving Day

12 Christmas Day

13 **Buckman Road Recycling and Transfer Station (BuRRT)**

14 Sunday – Saturday 8:00 am – 4:45 pm\*

15 Closed BuRRT Posted Holidays

16 *\*Loads must be unloaded and out by 5:00 pm*

17 **BuRRT Posted Holidays**

18 New Year's Day

19 Easter Sunday

20 Memorial Day

21 Independence Day

22 Labor Day

23 Thanksgiving Day

24 Christmas Day  
25



**ATTACHMENT**

**Red Line Version of Ordinance 2010-1**



1                                   **SANTA FE SOLID WASTE MANAGEMENT AGENCY**

2   **ORDINANCE ~~2010-1~~2012-\_\_\_\_\_**

3  
4  
5   **AN ORDINANCE REPEALING AND REPLACING ORDINANCE ~~2009-1~~2010-1**  
6   **ENTITLED CREATING FEES, RATES AND CHARGES FOR USE AT ALL**  
7   **FACILITIES OPERATED BY THE SANTA FE SOLID WASTE MANAGEMENT**  
8   **AGENCY FOR THE PURPOSE OF REVISING SAID ORDINANCE.**  
9

10   **BE IT ORDAINED BY THE JOINT POWERS BOARD OF THE SANTA FE SOLID**  
11   **WASTE MANAGEMENT AGENCY:**  
12

13   **Section 1. PURPOSE.** The purpose of this ordinance is to set forth the fees, rates, charges and  
14   conditions of service that shall be applicable at all facilities operated by the Santa Fe Solid Waste  
15   Management Agency.

16   **Section 2. LEGISLATIVE AUTHORITY.** The Santa Fe Solid Waste Management Agency  
17   was created by means of a duly approved Joint Powers Agreement between the City of Santa Fe  
18   and Santa Fe County acting under the authority of the Joint Powers Agreement Act (being  
19   Section 11-1-1 through 11-1-7, NMSA 1978). The governing body of the agency is a Board of  
20   Directors designated in accordance with the Joint Powers Agreement.

21   **Section 3. DEFINITIONS**

22   **Composted Mulch:** A product produced under a controlled aerobic thermophilic biological  
23   decomposition process and that meets the New Mexico Department of Transportation minimum  
24   specifications for composted mulch. Raw materials for composted mulch may include green  
25   waste and manure.



- 1 **Commercial Truck Tire:** Scrap tires with rim size more than 20 inches.
- 2 **Conditionally Exempt Small Quantity Generator (CESQG):** A generator that produces no  
3 more than 220 pounds of hazardous waste, or no more than 2.2 pounds of acutely hazardous  
4 waste, in a calendar month.
- 5 **Construction and Demolition (C&D) Waste:** Waste generated from the construction or  
6 demolition of a structure. C&D waste can consist of, but is not limited to, steel, brick, concrete,  
7 asphalt, roofing materials, pipe, gypsum board, wallboard, lumber, glass, paper, cartons, rubber,  
8 and plastics. C&D waste does not include regulated asbestos, garbage, hazardous materials,  
9 liquids, paints, solvents, adhesives, or sealers.
- 10 **Contaminated Load:** Any load of recyclables which contains materials other than those  
11 specified in an amount exceeding 10% by volume in a visual inspection.
- 12 **Conventional Recyclables:** Those materials defined as acceptable for recycling and posted at  
13 the facilities. Recyclables include, but are not limited to, old newspaper (ONP), old corrugated  
14 cardboard (OCC), magazines, junk mail, office paper, aluminum cans (UBC), aluminum foil,  
15 steel cans, #1 PET plastic bottles, #2 HDPE plastic bottles and glass bottles and jars prepared in  
16 accordance with SFSWMA's published requirements.
- 17 **Dead Animals:** Large animals typical of all breeds of livestock: cows, pigs, and horses; and  
18 small animals such as domestic cats and dogs. Dead animals include wildlife resulting from road  
19 kills but not from infectious diseases.
- 20 **Electronic Scrap Waste (E-Scrap Waste):** Category of surplus, obsolete, broken or discarded  
21 electronic devices including, but not limited to, computers, monitors, keyboards, mice, scanners,  
22 various computer peripherals, security equipment, fax and copy machines, cell phones and  
23 telephone equipment.
- 24 **Executive Director:** The Executive Director of the SFSWMA, as designated by the JPB.
- 25 **Facilities:** All facilities operated by the SFSWMA including the following;



**Landfill Facility:** Caja del Rio Landfill located at 149 Wildlife Way, Santa Fe, NM 87506.

**Recycling & Transfer Facility:** Buckman Road Recycling and Transfer Station (BuRRT) located at 2600 Buckman Road, Santa Fe, NM 87507.

**Freon Bearing Device:** Any device which contains and uses five (5) pounds or less of a Class I (CFC) or Class II (HCFC) substance as a refrigerant and which is used for household or commercial purposes, including any air conditioner, refrigerator, chiller or freezer.

**Generator:** Any person that produces solid waste by site or location to be shipped to any other site or location, or whose act or process produces a solid waste to first cause to become regulated.

**Glass Aggregate:** Glass bottles and jars which have been pulverized to produce two separate grades of aggregate <1/8 inch nominal size and <3/8 inch nominal size.

**Green Waste:** Vegetative organic matter resulting from landscaping, land maintenance and agricultural operations. Green waste includes, but is not limited to, cuttings and trimmings from trees, shrubs, or lawns and similar materials. Green waste does not include rock, dirt, metal, plastic, paper or any type of construction and demolition materials.

**Gross Vehicle Weight (GVW):** The total weight of the vehicle, any trailer, its occupants and contents.

**Household Hazardous Waste (HHW):** Leftover household products such as paints, cleaners, oils, batteries, and pesticides that contain potentially hazardous ingredients which require special handling when disposed of.

**Immediate Burial:** All materials including dead animals requiring immediate and secure disposal.



1 **Joint Powers Agreement (JPA):** The agreement between the City of Santa Fe and Santa Fe  
2 County which created the SFSWMA and conveys certain authorities and responsibilities to the  
3 SFSWMA related to the construction, operation, maintenance, replacement, expansion and  
4 closure of a solid waste facility.

5 **Joint Powers Board (JPB):** The JPB which is the governing body of the SFSWMA and which  
6 is designated in accordance with the Joint Powers Agreement.

7 **Mercury-Containing Lamp:** Any bulb or tube portion of the lighting device that contains a  
8 small amount of elemental mercury.

9 **Manure:** Agriculture waste composed of animal waste and animal bedding materials that  
10 originated from sites approved by the SFSWMA and contains no contamination such as  
11 veterinary waste.

12 **Mulch:** Ground green waste of which 100% of material passes a two (2) inch screen and has  
13 been cured a minimum of ninety (90) days.

14 **Non-Freon Bearing Appliance:** Household appliances which are not designed to utilize Freon,  
15 including, but not limited to, stoves/ranges, hot water heaters, dishwashers and laundry machines  
16 which are a minimum of 60% metal by weight.

17 **Owner:** Owner, business owner or corporate owner responsible for waste and/or recycling being  
18 delivered to the facilities for disposal or recovery. The owner, business owner, or corporate  
19 owner will be responsible for certifying that all waste and recyclables meet New Mexico  
20 Environment Department, Federal, City and County rules, regulations and ordinances. The  
21 owner, business owner, or corporate owner will be responsible for all waste and recycling  
22 disposal and processing costs.

23 **Oversized Mulch:** Ground green waste of which 100% of material does not pass a 2" screen.

24 **Passenger Tires:** Scrap tires with rim size of 20 inches or smaller. Passenger tires include tires  
25 from motorcycles and ATV's.



1 **Permits:** The permits issued by the New Mexico Environment Department which authorize and  
2 direct the respective facility's operations.

3 **Petroleum Contaminated Soil:** The owner/generator of petroleum contaminated soil shall assure  
4 that all petroleum contaminated soils are tested under the requirements of 20.9.8.11 and 20.9.8.15  
5 NMAC including total petroleum hydrocarbons (TPH) and other contaminants as required by  
6 facility's disposal management plan.

7 **Salvaging:** The controlled removal of materials for utilization, recycling, or sale.

8 **Santa Fe Solid Waste Management Agency (SFSWMA):** A joint powers agency created by  
9 the JPA and governed by the JPB.

10 **Scavenging:** The uncontrolled and unauthorized removal of materials from any point at the  
11 solid waste facilities.

12 **Schedule of Fees:** The schedule of fees, rates and charges assessed to persons making use of the  
13 facilities.

14 **Scrap Metal:** Appliances and other objects which consist of a minimum of 60% metal by  
15 weight. Scrap metal includes, but is not limited to, household appliances, some building  
16 materials and auto parts.

17 **Scrap Tire:** A tire that is no longer suitable for its originally intended purpose because of wear,  
18 damage or defect.

19 **Sludge:** Any solid, semi-solid, or liquid waste generated by a municipal, commercial or  
20 industrial waste water treatment plant, water supply treatment plant, or air pollution control  
21 facility. Sludge does not include treated effluent from a waste water treatment plant. The  
22 owner/generator shall assure that the sludge is tested under the requirements of 20.9.8.11 and  
23 20.9.8.16 NMAC and as required by facility's disposal management plan.

24 **Solid Waste:** All putrescible and non-putrescible materials generated or originating from  
25 residential, commercial, industrial, mining, or community activities or from agricultural  
26 operations that are discarded or rejected, whether (i) as being spent, useless, worthless or in



1 excess to the owners at the time of such discard or rejection, (ii) as having served their intended  
2 use, or (iii) for any other reason. Solid waste does not include materials accepted for recycling or  
3 reuse or materials specifically prohibited by Section 7 of this ordinance.

4 **Uncovered / Unsecured Load:** Any load from which litter and debris can blow out of or fall  
5 from a vehicle.

#### 6 **Section 4. GENERAL PROVISIONS**

7 **A. Establishment of Enterprise Fund.** For the purpose of defraying all expenses of  
8 receiving, disposing or recycling of solid wastes and recyclables a regional solid waste  
9 agency enterprise fund has been created. The SFSWMA shall establish fees, rates and  
10 charges designed to recover the full cost of services for the various services provided. All  
11 revenues received from fees, rates and charges shall be credited to the fund. The fund  
12 shall pay all direct and indirect operating expenses as well as principal and interest  
13 payments and all other costs of bond indebtedness.

14 **B. Authority to Accept Waste and Recyclables:** The SFSWMA shall at all times  
15 have the sole and exclusive right to determine whether it shall receive, retain, reject,  
16 dispose of or recycle any solid waste or recyclable.

#### 17 **Section 5. ESTABLISHMENT OF FEE CATEGORIES**

18 **A. Schedule of Fees.** The rates, fees and charges assessed to persons making use of  
19 the facilities shall be in accordance with the Schedule of Fees and with the service classes  
20 described herein. The Schedule of Fees effective ~~October 1, 2010 through June 30, 2011~~  
21 is hereby adopted by reference and incorporated hereto as Exhibit A-1 and made effective  
22 upon adoption of this ordinance. ~~The Schedule of Fees effective July 1, 2011 through~~  
23 ~~June 30, 2012 is hereby adopted by reference and incorporated hereto as Exhibit A-2 and~~  
24 ~~made effective upon adoption of this ordinance. The Schedule of Fees effective July 1,~~  
25 ~~2012 is hereby adopted by reference and incorporated hereto as Exhibit A-3 and made~~



1 | ~~effective upon adoption of this ordinance.~~ In accordance with the Gross Receipts and  
2 Compensating Tax Act, Section 7-9-4.3, NMSA 1978, a governmental gross receipts tax  
3 of up to 5% shall be imposed on each billing rendered in accordance with this ordinance.

4 **B. Service Classes.**

5 **1. Landfill Service.** Mixed or separated solid waste intended for disposal at  
6 the Caja del Rio Landfill Facility. Landfill service is generally restricted to those  
7 vehicles which exceed 12,500 pounds GVW. The fee is established on the basis  
8 of weight as determined by the Landfill Facility and charged to the nearest twenty  
9 (20) pounds.

10 **2. Transfer Service.** Mixed or separated solid waste delivered to the  
11 Buckman Road Recycling & Transfer Station Facility and intended for transfer to  
12 the Caja del Rio Landfill Facility. Transfer service is generally restricted to  
13 vehicles which do not exceed 12,500 pounds GVW. The fee is established on the  
14 basis of weight as determined by the Recycling & Transfer Facility and charged  
15 to the nearest twenty (20) pounds.

16 **3. Recycling Service.** Mixed or separated conventional recyclables, green  
17 waste, scrap tires or scrap metal intended for recycling and delivered to the  
18 Buckman Road Recycling & Transfer Station Facility. Recycling service shall  
19 not be restricted by GVW. The fee is established on the basis of weight as  
20 determined by the Buckman Road Recycling & Transfer Station Facility and  
21 charged to the nearest twenty (20) pounds.

22 **4. Contract Service.** Solid waste or recyclables delivered to the facilities in  
23 a quantity or condition which merit special consideration through a contractual  
24 fee agreement. Contract service shall also apply to any materials produced for  
25 resale by the SFSWMA. All contractual fee agreements shall meet the



1 requirements of relevant local and state procurement laws and regulations, and,  
2 where applicable, the requirements of SFSWMA Policy No. 2010.1, Purchasing  
3 Procedures and Finance Policy.

4 5. **Material Sales.** The sale of materials produced by the SFSWMA and  
5 priced in accordance with this Ordinance or prevailing market price or sold to the  
6 highest qualified bidder.

## 7 **Section 6. BILLING AND COLLECTION**

8 A. The Executive Director shall establish procedures for the rendering of bills and  
9 receipt of payment including service contracts, security deposits and other guarantees of  
10 payment.

11 B. Fees are due within thirty (30) days following each monthly billing or as the  
12 Executive Director shall authorize. Any billed amount not paid by the date due shall  
13 become delinquent on that date.

14 C. A penalty of one and one half percent (1.5%) per month may be charged on all  
15 amounts which are delinquent.

16 D. The Executive Director may pursue all available means of collection of  
17 delinquent amounts including termination of use of the facility.

18 E. Filing a complaint regarding fees, rates and charges does not relieve a customer  
19 from making payments in a timely fashion. If it is determined that a customer was over  
20 charged, the customer will be entitled to an appropriate refund.

21 F. Cash transactions including cash, checks, and debit/credit cards shall be rounded  
22 to the nearest five (5) cents. Charge transactions for monthly billing shall be rounded to  
23 the nearest one (1) cent.

## 24 **Section 7. PROHIBITED MATERIALS**

25 A. The SFSWMA will not accept the following materials at any facility;



1. Bulk or non-containerized liquids as defined by 20.9.2.10 NMAC
2. Compressed gas cylinders and tanks
3. Explosives and ammunition
4. Regulated hazardous waste
5. Infectious waste
6. Lead acid batteries
7. Medicine and prescription drugs under the Controlled Substances Act
8. PCB's and any material regulated by the Federal Toxic Substances Control Act
9. Radioactive waste
10. Solid waste as determined by the SFSWMA to pose a potential risk or hazard to the environment may be required to be tested to ascertain the nature of its constituents in determining the appropriate handling and disposal method. Testing may also be used to verify the SFSWMA's authority to accept certain solid waste. All testing will be the responsibility of the owner/generator.
11. Special wastes including:
  - a. treated formerly characteristic hazardous waste
  - b. packing house and killing plant offal
  - c. regulated asbestos waste
  - d. ash
  - e. infectious waste
  - f. industrial solid waste
  - g. spill of a chemical substance or commercial product which requires special handling, dry chemicals, which, when wetted, become characteristically hazardous, wastes which meet RCRA Hazardous Waste



1 Identification Rule levels or land disposal restriction cap levels under  
2 RCRA Subtitle C.

3 g.h. special waste not otherwise specified

4 B. Other materials that are accepted at each facility are defined in Exhibit B,  
5 Accepted Materials Table, which is hereby adopted by reference and made effective upon  
6 adoption of this ordinance.

7 **Section 8. HOURS OF OPERATION.** The Executive Director shall establish hours of  
8 operation for each facility and said hours shall be ratified and approved by the JPB. The hours of  
9 operation are hereby adopted by reference and incorporated hereto as Exhibit C and made  
10 effective upon adoption of this ordinance.

11 **Section 9. INCLEMENT WEATHER OPERATIONS.** The Director shall have the authority  
12 to order the temporary closure of any SFSWMA facility when weather conditions cause the use  
13 of the respective facility to be unsafe to customers or SFSWMA personnel.

14 **Section 10. EFFECTIVE DATE.** This ordinance shall be in full force and effect upon  
15 adoption and thirty (30) days after its publication, but not before ~~October 1, 2010~~ July 1, 2012 and  
16 as provided by law.

17 **PASSED, ADOPTED, SIGNED AND APPROVED THIS \_\_\_\_ DAY OF JULY, 2010** MAY,  
18 2012.

19 SANTA FE SOLID WASTE MANAGEMENT  
20 AGENCY

21  
22 By: \_\_\_\_\_

23 Rosemary Romero, Chairperson Virginia

24 Vigil, Vice-Chair  
25



1 APPROVED AS TO FORM:

ATTEST:

2

3

4 ~~Mark Baker~~ Justin W. Miller

~~Yolanda Y. Vigil~~ Valerie Espinosa

5 Agency Attorney

~~City Clerk~~ County Clerk

6



**EXHIBIT A-1**

**SCHEDULE OF FEES**

(Effective October 1, 2010 through June 30, 2011)

**Landfill Service**

**Commercial Vehicles**

Vehicles 12,500-18,000 lbs GVW — \$45.00/Ton

Vehicles greater than 18,000 lbs GVW — \$35.00/Ton

Immediate Burial — \$75.00/Ton

Petroleum Contaminated Soil (>1,000 ppm TPH) — \$55.00/Ton

Uncovered Load Surcharge — \$25.00/Load

Minimum Load Charge — \$5.00/Load

Use of Scale for Weighing Only — \$15.00/Weigh

**Transfer Service**

Vehicles less than 4,000 lbs GVW — \$5.00/Load

Vehicles 4,000-6,000 lbs GVW — \$10.00/Load

Vehicles greater than 6,000 lbs GVW — \$45.00/Ton

Vehicles with Trailers \$45.00/Ton

Uncovered Load Surcharge — \$15.00/Load

Minimum Load Charge — \$5.00/Load

Use of Scale for Weighing Only — \$15.00/Weigh

**Recycling Service**

Conventional Recycling Excluding Glass (Inside Santa Fe County) No Charge

(Vehicles in excess 10,000 lbs GVW)



1 Conventional Recycling Excluding Glass (Outside Santa Fe County) — \$15.00/Ton

2 (Vehicles in excess of 10,000 lbs GVW)

3 Glass (Vehicles in excess of 10,000 lbs GVW) — \$15.00/Ton

4 Drop Off Recycling (Vehicles less than 10,000 GVW) — No Charge

5 Green Waste — \$20.00/Ton

6 Contaminated Green Waste — \$55.00/Ton

7 Household Hazardous Waste (Santa Fe Residents Only) — \$45.00/Ton\*

8 Electronic Scrap — \$45.00/Ton\*

9 Scrap Tires — \$160.00/Ton

10 Passenger Tires — \$2.00/Tire

11 Commercial Truck Tires — \$6.00/Tire

12 Scrap Metal — \$15.00/Ton\*

13 Freon Bearing Appliance (contains CFC's) — \$10.00/Unit

14 Non-Freon Bearing Appliance (White Goods) — \$5.00/Unit

15 Mercury Containing Lamp — No Charge

16 Unsecured Load Surcharge — \$15.00/Load

17 Minimum Load Charge — \$5.00/Load

18 \*No Minimum Load Charge

19 **Material Sales**

20 Composted Mulch — \$7.50/yd<sup>3</sup>

21 Screened Compost — \$10.00/yd<sup>3</sup>

22 Mulch \$3.00/yd<sup>3</sup>

23 Oversized Mulch — \$0.50/yd<sup>3</sup>

24 Compost and Mulch Available to the Public (less than 1 yd<sup>3</sup>) — No Charge

25 Glass Aggregate — \$5.00/Ton



1 ~~Glass Aggregate Available to the Public (less than 1 yd<sup>3</sup>) — No Charge~~

2 ~~Tire Bale — \$5.00/Unit~~

3 ~~Processed Conventional Recycling — Highest Bid Price~~

4 ~~Processed Electronic Scrap — Highest Bid Price~~

5 ~~Recovered Scrap Metal — Highest Bid Price~~

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EXHIBIT A-2

SCHEDULE OF FEES

(Effective July 1, 2011 through June 30, 2012)

Landfill Service

Commercial Vehicles

Vehicles 12,500-18,000 lbs GVW \$47.50/Ton

Vehicles greater than 18,000 lbs GVW \$37.50/Ton

Immediate Burial \$77.50/Ton

Petroleum Contaminated Soil (>1,000 ppm TPH) \$57.50/Ton

Uncovered Load Surcharge \$25.00/Load

Minimum Load Charge \$5.00/Load

Use of Scale for Weighing Only \$15.00/Weigh

Transfer Service

Vehicles less than 4,000 lbs GVW \$5.00/Load

Vehicles 4,000-6,000 lbs GVW \$10.00/Load

Vehicles greater than 6,000 lbs GVW \$47.50/Ton

Vehicles with Trailers \$47.50/Ton

Uncovered Load Surcharge \$15.00/Load

Minimum Load Charge \$5.00/Load

Use of Scale for Weighing Only \$15.00/Weigh

Recycling Service

Conventional Recycling Excluding Glass (Inside Santa Fe County) No Charge

(Vehicles in excess 10,000 lbs GVW)

Conventional Recycling Excluding Glass (Outside Santa Fe County) \$20.00/Ton



(Vehicles in excess of 10,000 lbs GVW)

Glass (Vehicles in excess of 10,000 lbs GVW) — \$15.00/Ton

Drop Off Recycling (Vehicles less than 10,000 GVW) — No Charge

Green Waste — \$20.00/Ton

Contaminated Green Waste — \$57.50/Ton

Household Hazardous Waste (Santa Fe Residents Only) — \$47.50/Ton\*

Electronic Scrap — \$47.50/Ton\*

Scrap Tires — \$160.00/Ton

Passenger Tires — \$2.00/Tire

Commercial Truck Tires — \$6.00/Tire

Scrap Metal — \$15.00/Ton\*

Freon Bearing Appliance (contains CFC's) — \$10.00/Unit

Non Freon Bearing Appliance (White Goods) — \$5.00/Unit

Mercury Containing Lamp — No Charge

Unsecured Load Surcharge — \$15.00/Load

Minimum Load Charge — \$5.00/Load

*\*No Minimum Load Charge*

#### Material Sales

Composted Mulch — \$7.50/yd<sup>3</sup>

Screened Compost — \$10.00/yd<sup>3</sup>

Mulch — \$3.00/yd<sup>3</sup>

Oversized Mulch — \$0.50/yd<sup>3</sup>

Compost and Mulch Available to the Public (less than 1 yd<sup>3</sup>) — No Charge

Glass Aggregate — \$5.00/Ton

Glass Aggregate Available to the Public (less than 1 yd<sup>3</sup>) — No Charge



~~Tire Bale \$5.00/Unit~~

~~Processed Conventional Recycling Highest Bid Price~~~~Processed Electronic Scrap Highest Bid Price~~~~Recovered Scrap Metal~~ ~~Highest Bid Price~~

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EXHIBIT A-3

SCHEDULE OF FEES

(Effective July 1, 2012)

Landfill Service

Commercial Vehicles

Vehicles 12,500-18,000 lbs GVW ..... \$50.00/Ton

Vehicles greater than 18,000 lbs GVW ..... \$40.00/Ton

Immediate Burial ..... \$80.00/Ton

Petroleum Contaminated Soil (>1,000 ppm TPH)..... \$60.00/Ton

Uncovered Load Surcharge..... \$25.00/Load

Minimum Load Charge..... \$5.00/Load

Use of Scale for Weighing Only..... \$15.00/Weigh

Transfer Service

Vehicles less than ~~4,000~~ 4,500 lbs GVW ..... \$6.00/Load

Vehicles 4,500-5,500 lbs GVW ..... \$9.00/Load

~~V~~Vehicles ~~4,000~~5,500-~~6,000~~6,500 lbs GVW ..... \$12.00/Load

Vehicles greater than ~~6,000~~6,500 lbs GVW ..... \$50.00/Ton

Vehicles with Trailers..... \$50.00/Ton

Uncovered Load Surcharge..... \$15.00/Load

Minimum Load Charge..... ~~\$5~~6.00/Load

Use of Scale for Weighing Only..... \$15.00/Weigh

Recycling Service

Conventional Recycling Excluding Glass (Inside Santa Fe County) ..... No Charge

(Vehicles in excess 10,000 lbs GVW)



1	Conventional Recycling Excluding Glass (Outside Santa Fe County).....	\$20.00/Ton
2	(Vehicles in excess of 10,000 lbs GVW)	
3	Glass (Vehicles in excess of 10,000 lbs GVW).....	\$15.00/Ton
4	Drop-Off Recycling (Vehicles less than 10,000 GVW) .....	No Charge
5	Green Waste.....	\$20.00/Ton
6	Contaminated Green Waste .....	\$60.00/Ton
7	Household Hazardous Waste (Santa Fe Residents Only).....	\$50.00/Ton*
8	Electronic Scrap Waste (E-Waste).....	\$50.00/Ton*
9	Scrap Tires .....	\$160.00/Ton
10	Passenger Tires .....	\$2.00/Tire
11	Commercial Truck Tires .....	\$6.00/Tire
12	Scrap Metal .....	\$15.00/Ton*
13	Freon Bearing Appliance (contains CFC's).....	\$10.00/Unit
14	Non-Freon Bearing Appliance (White Goods) .....	\$5.00/Unit
15	Mercury-Containing Lamp .....	No Charge
16	Unsecured Load Surcharge.....	\$15.00/Load
17	Minimum Load Charge.....	\$5.00/Load

18     \**No Minimum Load Charge Applies*

#### 19     **Material Sales**

20	Composted Mulch.....	\$7.50/yd <sup>3</sup>
21	Screened Compost .....	\$10.00/yd <sup>3</sup>
22	Mulch .....	\$3.00/yd <sup>3</sup>
23	Oversized Mulch.....	\$0.50/yd <sup>3</sup>
24	Compost and Mulch Available to the Public (less than 1 yd <sup>3</sup> ) .....	No Charge
25	Glass Aggregate.....	\$5.00/Ton



1 Glass Aggregate Available to the Public (less than 1 yd<sup>3</sup>) ..... No Charge  
2 Tire Bale..... \$5.00/Unit  
3 Processed Conventional Recycling..... Highest Bid Price  
4 Processed Electronic Scrap ..... Highest Bid Price  
5 Recovered Scrap Metal ..... Highest Bid Price

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**EXHIBIT B**

**ACCEPTED MATERIAL TABLE**

<b>Material Type</b>	<b>Caja del Rio Landfill</b>	<b>Buckman Road Recycling &amp; Transfer Station</b>
Vehicles greater than 12,500 lbs GVW	Yes	No
Vehicles with Self-Dumping Trailers	Yes	No
Dead Animals	Yes	No
Large/Bulky Items Exceeding Limits for Transfer Service	Yes	No
Petroleum Contaminated Soils	Yes	No
Sludge	Yes	No
Vehicles less than 12,500 lbs GVW	No	Yes
Vehicles with Trailers Requiring Manual Unloading	No	Yes
Conventional Recycling	No	Yes
Green Waste	No	Yes
Manure	No	Yes
Scrap Metal	No	Yes
Scrap Tires	No	Yes
Electronic Scrap	No	Yes
Mercury-Containing Lamp	No	Yes
Freon Bearing Appliance	No	Yes
Non-Freon Bearing Appliance	No	Yes
Household Hazardous Waste	No	Yes*



1 | \*Accepted when permanent HHW facility opens

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5 **EXHIBIT C**

6 **HOURS OF OPERATION**

7  
8 **Caja del Rio Landfill**

9 Monday - Saturday 7:00 am – 5:00 pm \*

10 Closed Sundays and Landfill Posted Holidays

11 *\*Commercial Account Holders Only Between 4:00 pm and 5:00 pm*

12 **Landfill Posted Holidays**

13 New Year's Day

14 Thanksgiving Day

15 Christmas Day

16 **Buckman Road Recycling and Transfer Station (BuRRT)**

17 Sunday – Saturday 8:00 am – 4:45 pm\*

18 Closed BuRRT Posted Holidays

19 *\*Loads must be unloaded and out by 5:00 pm*

20 **BuRRT Posted Holidays**

21 New Year's Day

22 Easter Sunday

23 Memorial Day

24 Independence Day

25 Labor Day



1      Thanksgiving Day

2      Christmas Day

3 |

4



**ATTACHMENT**

**Ordinance 2010-1**



1                   **SANTA FE SOLID WASTE MANAGEMENT AGENCY**

2                               **ORDINANCE 2010-1**

3  
4  
5   **AN ORDINANCE REPEALING AND REPLACING ORDINANCE 2009-1 CREATING**  
6   **FEES, RATES AND CHARGES FOR USE AT ALL FACILITIES OPERATED BY THE**  
7   **SANTA FE SOLID WASTE MANAGEMENT AGENCY**

8  
9   **BE IT ORDAINED BY THE JOINT POWERS BOARD OF THE SANTA FE SOLID**  
10   **WASTE MANAGEMENT AGENCY:**

11  
12   **Section 1. PURPOSE.** The purpose of this ordinance is to set forth the fees, rates, charges and  
13   conditions of service that shall be applicable at all facilities operated by the Santa Fe Solid Waste  
14   Management Agency.

15   **Section 2. LEGISLATIVE AUTHORITY.** The Santa Fe Solid Waste Management Agency  
16   was created by means of a duly approved Joint Powers Agreement between the City of Santa Fe  
17   and Santa Fe County acting under the authority of the Joint Powers Agreement Act (being  
18   Section 11-1-1 through 11-1-7, NMSA 1978). The governing body of the agency is a Board of  
19   Directors designated in accordance with the Joint Powers Agreement.

20   **Section 3. DEFINITIONS**

21   **Composted Mulch:** A product produced under a controlled aerobic thermophilic biological  
22   decomposition process and that meets the New Mexico Department of Transportation minimum  
23   specifications for composted mulch. Raw materials for composted mulch may include green  
24   waste and manure.

25   **Commercial Truck Tire:** Scrap tires with rim size more than 20 inches.



1 **Conditionally Exempt Small Quantity Generator (CESQG):** A generator that produces no  
2 more than 220 pounds of hazardous waste, or no more than 2.2 pounds of acutely hazardous  
3 waste, in a calendar month.

4 **Construction and Demolition (C&D) Waste:** Waste generated from the construction or  
5 demolition of a structure. C&D waste can consist of, but is not limited to, steel, brick, concrete,  
6 asphalt, roofing materials, pipe, gypsum board, wallboard, lumber, glass, paper, cartons, rubber,  
7 and plastics. C&D waste does not include regulated asbestos, garbage, hazardous materials,  
8 liquids, paints, solvents, adhesives, or sealers.

9 **Contaminated Load:** Any load of recyclables which contains materials other than those  
10 specified in an amount exceeding 10% by volume in a visual inspection.

11 **Conventional Recyclables:** Those materials defined as acceptable for recycling and posted at  
12 the facilities. Recyclables include, but are not limited to, old newspaper (ONP), old corrugated  
13 cardboard (OCC), magazines, junk mail, office paper, aluminum cans (UBC), aluminum foil,  
14 steel cans, #1 PET plastic bottles, #2 HDPE plastic bottles and glass bottles and jars prepared in  
15 accordance with SFSWMA's published requirements.

16 **Dead Animals:** Large animals typical of all breeds of livestock: cows, pigs, and horses; and  
17 small animals such as domestic cats and dogs. Dead animals include wildlife resulting from road  
18 kills but not from infectious diseases.

19 **Electronic Scrap (E-Scrap):** Category of surplus, obsolete, broken or discarded electronic  
20 devices including, but not limited to, computers, monitors, keyboards, mice, scanners, various  
21 computer peripherals, security equipment, fax and copy machines, cell phones and telephone  
22 equipment.

23 **Executive Director:** The Executive Director of the SFSWMA, as designated by the JPB.

24 **Facilities:** All facilities operated by the SFSWMA including the following;

25



**Landfill Facility:** Caja del Rio Landfill located at 149 Wildlife Way, Santa Fe, NM 87506.

**Recycling & Transfer Facility:** Buckman Road Recycling and Transfer Station (BuRRT) located at 2600 Buckman Road, Santa Fe, NM 87507.

**Freon Bearing Device:** Any device which contains and uses five (5) pounds or less of a Class I (CFC) or Class II (HCFC) substance as a refrigerant and which is used for household or commercial purposes, including any air conditioner, refrigerator, chiller or freezer.

**Generator:** Any person that produces solid waste by site or location to be shipped to any other site or location, or whose act or process produces a solid waste to first cause to become regulated.

**Glass Aggregate:** Glass bottles and jars which have been pulverized to produce two separate grades of aggregate <1/8 inch nominal size and <3/8 inch nominal size.

**Green Waste:** Vegetative organic matter resulting from landscaping, land maintenance and agricultural operations. Green waste includes, but is not limited to, cuttings and trimmings from trees, shrubs, or lawns and similar materials. Green waste does not include rock, dirt, metal, plastic, paper or any type of construction and demolition materials.

**Gross Vehicle Weight (GVW):** The total weight of the vehicle, any trailer, its occupants and contents.

**Household Hazardous Waste (HHW):** Leftover household products such as paints, cleaners, oils, batteries, and pesticides that contain potentially hazardous ingredients which require special handling when disposed of.

**Immediate Burial:** All materials including dead animals requiring immediate and secure disposal.

**Joint Powers Agreement (JPA):** The agreement between the City of Santa Fe and Santa Fe County which created the SFSWMA and conveys certain authorities and responsibilities to the



1 SFSWMA related to the construction, operation, maintenance, replacement, expansion and  
2 closure of a solid waste facility.

3 **Joint Powers Board (JPB):** The JPB which is the governing body of the SFSWMA and which  
4 is designated in accordance with the Joint Powers Agreement.

5 **Mercury-Containing Lamp:** Any bulb or tube portion of the lighting device that contains a  
6 small amount of elemental mercury.

7 **Manure:** Agriculture waste composed of animal waste and animal bedding materials that  
8 originated from sites approved by the SFSWMA and contains no contamination such as  
9 veterinary waste.

10 **Mulch:** Ground green waste of which 100% of material passes a two (2) inch screen and has  
11 been cured a minimum of ninety (90) days.

12 **Non-Freon Bearing Appliance:** Household appliances which are not designed to utilize Freon,  
13 including, but not limited to, stoves/ranges, hot water heaters, dishwashers and laundry machines  
14 which are a minimum of 60% metal by weight.

15 **Owner:** Owner, business owner or corporate owner responsible for waste and/or recycling being  
16 delivered to the facilities for disposal or recovery. The owner, business owner, or corporate  
17 owner will be responsible for certifying that all waste and recyclables meet New Mexico  
18 Environment Department, Federal, City and County rules, regulations and ordinances. The  
19 owner, business owner, or corporate owner will be responsible for all waste and recycling  
20 disposal and processing costs.

21 **Oversized Mulch:** Ground green waste of which 100% of material does not pass a 2" screen.

22 **Passenger Tires:** Scrap tires with rim size of 20 inches or smaller. Passenger tires include tires  
23 from motorcycles and ATV's.

24 **Permits:** The permits issued by the New Mexico Environment Department which authorize and  
25 direct the respective facility's operations.



1 **Petroleum Contaminated Soil:** The owner/generator of petroleum contaminated soil shall assure  
2 that all petroleum contaminated soils are tested under the requirements of 20.9.8.11 and 20.9.8.15  
3 NMAC including total petroleum hydrocarbons (TPH) and other contaminants as required by  
4 facility's disposal management plan.

5 **Salvaging:** The controlled removal of materials for utilization, recycling, or sale.

6 **Santa Fe Solid Waste Management Agency (SFSWMA):** A joint powers agency created by  
7 the JPA and governed by the JPB.

8 **Scavenging:** The uncontrolled and unauthorized removal of materials from any point at the  
9 solid waste facilities.

10 **Schedule of Fees:** The schedule of fees, rates and charges assessed to persons making use of the  
11 facilities.

12 **Scrap Metal:** Appliances and other objects which consist of a minimum of 60% metal by  
13 weight. Scrap metal includes, but is not limited to, household appliances, some building  
14 materials and auto parts.

15 **Scrap Tire:** A tire that is no longer suitable for its originally intended purpose because of wear,  
16 damage or defect.

17 **Sludge:** Any solid, semi-solid, or liquid waste generated by a municipal, commercial or  
18 industrial waste water treatment plant, water supply treatment plant, or air pollution control  
19 facility. Sludge does not include treated effluent from a waste water treatment plant. The  
20 owner/generator shall assure that the sludge is tested under the requirements of 20.9.8.11 and  
21 20.9.8.16 NMAC and as required by facility's disposal management plan.

22 **Solid Waste:** All putrescible and non-putrescible materials generated or originating from  
23 residential, commercial, industrial, mining, or community activities or from agricultural  
24 operations that are discarded or rejected, whether (i) as being spent, useless, worthless or in  
25 excess to the owners at the time of such discard or rejection, (ii) as having served their intended



1 use, or (iii) for any other reason. Solid waste does not include materials accepted for recycling or  
2 reuse or materials specifically prohibited by Section 7 of this ordinance.

3 **Uncovered / Unsecured Load:** Any load from which litter and debris can blow out of or fall  
4 from a vehicle.

#### 5 **Section 4. GENERAL PROVISIONS**

6 **A. Establishment of Enterprise Fund.** For the purpose of defraying all expenses of  
7 receiving, disposing or recycling of solid wastes and recyclables a regional solid waste  
8 agency enterprise fund has been created. The SFSWMA shall establish fees, rates and  
9 charges designed to recover the full cost of services for the various services provided. All  
10 revenues received from fees, rates and charges shall be credited to the fund. The fund  
11 shall pay all direct and indirect operating expenses as well as principal and interest  
12 payments and all other costs of bond indebtedness.

13 **B. Authority to Accept Waste and Recyclables:** The SFSWMA shall at all times  
14 have the sole and exclusive right to determine whether it shall receive, retain, reject,  
15 dispose of or recycle any solid waste or recyclable.

#### 16 **Section 5. ESTABLISHMENT OF FEE CATEGORIES**

17 **A. Schedule of Fees.** The rates, fees and charges assessed to persons making use of  
18 the facilities shall be in accordance with the Schedule of Fees and with the service classes  
19 described herein. The Schedule of Fees effective October 1, 2010 through June 30, 2011  
20 is hereby adopted by reference and incorporated hereto as Exhibit A-1 and made effective  
21 upon adoption of this ordinance. The Schedule of Fees effective July 1, 2011 through  
22 June 30, 2012 is hereby adopted by reference and incorporated hereto as Exhibit A-2 and  
23 made effective upon adoption of this ordinance. The Schedule of Fees effective July 1,  
24 2012 is hereby adopted by reference and incorporated hereto as Exhibit A-3 and made  
25 effective upon adoption of this ordinance. In accordance with the Gross Receipts and



1 Compensating Tax Act, Section 7-9-4.3, NMSA 1978, a governmental gross receipts tax  
2 of up to 5% shall be imposed on each billing rendered in accordance with this ordinance.

3 **B. Service Classes.**

4 1. **Landfill Service.** Mixed or separated solid waste intended for disposal at  
5 the Caja del Rio Landfill Facility. Landfill service is generally restricted to those  
6 vehicles which exceed 12,500 pounds GVW. The fee is established on the basis  
7 of weight as determined by the Landfill Facility and charged to the nearest twenty  
8 (20) pounds.

9 2. **Transfer Service.** Mixed or separated solid waste delivered to the  
10 Buckman Road Recycling & Transfer Station Facility and intended for transfer to  
11 the Caja del Rio Landfill Facility. Transfer service is generally restricted to  
12 vehicles which do not exceed 12,500 pounds GVW. The fee is established on the  
13 basis of weight as determined by the Recycling & Transfer Facility and charged  
14 to the nearest twenty (20) pounds.

15 3. **Recycling Service.** Mixed or separated conventional recyclables, green  
16 waste, scrap tires or scrap metal intended for recycling and delivered to the  
17 Buckman Road Recycling & Transfer Station Facility. Recycling service shall  
18 not be restricted by GVW. The fee is established on the basis of weight as  
19 determined by the Buckman Road Recycling & Transfer Station Facility and  
20 charged to the nearest twenty (20) pounds.

21 4. **Contract Service.** Solid waste or recyclables delivered to the facilities in  
22 a quantity or condition which merit special consideration through a contractual  
23 fee agreement. Contract service shall also apply to any materials produced for  
24 resale by the SFSWMA. All contractual fee agreements shall meet the  
25 requirements of relevant local and state procurement laws and regulations, and,



1 where applicable, the requirements of SFSWMA Policy No. 2010.1, Purchasing  
2 Procedures and Finance Policy.

3 **5. Material Sales.** The sale of materials produced by the SFSWMA and  
4 priced in accordance with this Ordinance or prevailing market price or sold to the  
5 highest qualified bidder.

## 6 **Section 6. BILLING AND COLLECTION**

7 **A.** The Executive Director shall establish procedures for the rendering of bills and  
8 receipt of payment including service contracts, security deposits and other guarantees of  
9 payment.

10 **B.** Fees are due within thirty (30) days following each monthly billing or as the  
11 Executive Director shall authorize. Any billed amount not paid by the date due shall  
12 become delinquent on that date.

13 **C.** A penalty of one and one half percent (1.5%) per month may be charged on all  
14 amounts which are delinquent.

15 **D.** The Executive Director may pursue all available means of collection of  
16 delinquent amounts including termination of use of the facility.

17 **E.** Filing a complaint regarding fees, rates and charges does not relieve a customer  
18 from making payments in a timely fashion. If it is determined that a customer was over  
19 charged, the customer will be entitled to an appropriate refund.

20 **F.** Cash transactions shall be rounded to the nearest five (5) cents. Charge  
21 transactions for monthly billing shall be rounded to the nearest one (1) cent.

## 22 **Section 7. PROHIBITED MATERIALS**

23 **A.** The SFSWMA will not accept the following materials at any facility;

24 1. Bulk or non-containerized liquids as defined by 20.9.2.10 NMAC

25 2. Compressed gas cylinders and tanks



3. Explosives and ammunition
4. Regulated hazardous waste
5. Infectious waste
6. Lead acid batteries
7. Medicine and prescription drugs under the Controlled Substances Act
8. PCB's and any material regulated by the Federal Toxic Substances Control Act
9. Radioactive waste
10. Solid waste as determined by the SFSWMA to pose a potential risk or hazard to the environment may be required to be tested to ascertain the nature of its constituents in determining the appropriate handling and disposal method. Testing may also be used to verify the SFSWMA's authority to accept certain solid waste. All testing will be the responsibility of the owner/generator.
11. Special wastes including:
  - a. treated formerly characteristic hazardous waste
  - b. packing house and killing plant offal
  - c. regulated asbestos waste
  - d. ash
  - e. infectious waste
  - f. industrial solid waste
  - g. spill of a chemical substance or commercial product which requires special handling, dry chemicals, which, when wetted, become characteristically hazardous, wastes which meet RCRA Hazardous Waste Identification Rule levels or land disposal restriction cap levels under RCRA Subtitle C.



1 B. Other materials that are accepted at each facility are defined in Exhibit B,  
2 Accepted Materials Table, which is hereby adopted by reference and made effective upon  
3 adoption of this ordinance.

4 **Section 8. HOURS OF OPERATION.** The Executive Director shall establish hours of  
5 operation for each facility and said hours shall be ratified and approved by the JPB. The hours of  
6 operation are hereby adopted by reference and incorporated hereto as Exhibit C and made  
7 effective upon adoption of this ordinance.

8 **Section 9. INCLEMENT WEATHER OPERATIONS.** The Director shall have the authority  
9 to order the temporary closure of any SFSWMA facility when weather conditions cause the use  
10 of the respective facility to be unsafe to customers or SFSWMA personnel.

11 **Section 10. EFFECTIVE DATE.** This ordinance shall be in full force and effect upon  
12 adoption and thirty (30) days after its publication, but not before October 1, 2010 and as  
13 provided by law.

14 **PASSED, ADOPTED, SIGNED AND APPROVED THIS 15<sup>th</sup> DAY OF JULY, 2010.**

15 SANTA FE SOLID WASTE MANAGEMENT  
16 AGENCY

17  
18 By: Rosemary Romero

19 Rosemary Romero, Chairperson  
20

21 APPROVED AS TO FORM:

22 ATTEST:

23 Nancy A Long

24 for Mark Baker

25 Agency Attorney  
26

23 Yolanda Y. Vigil  
24 Yolanda Y. Vigil

25 City Clerk



1 EXHIBIT A-1

2 SCHEDULE OF FEES

3 (Effective October 1, 2010 through June 30, 2011)

4  
5 Landfill Service

6 Commercial Vehicles

7 Vehicles 12,500-18,000 lbs GVW ..... \$45.00/Ton

8 Vehicles greater than 18,000 lbs GVW ..... \$35.00/Ton

9 Immediate Burial ..... \$75.00/Ton

10 Petroleum Contaminated Soil (>1,000 ppm TPH) ..... \$55.00/Ton

11 Uncovered Load Surcharge ..... \$25.00/Load

12 Minimum Load Charge ..... \$5.00/Load

13 Use of Scale for Weighing Only ..... \$15.00/Weigh

14 Transfer Service

15 Vehicles less than 4,000 lbs GVW ..... \$5.00/Load

16 Vehicles 4,000-6,000 lbs GVW ..... \$10.00/Load

17 Vehicles greater than 6,000 lbs GVW ..... \$45.00/Ton

18 Vehicles with Trailers ..... \$45.00/Ton

19 Uncovered Load Surcharge ..... \$15.00/Load

20 Minimum Load Charge ..... \$5.00/Load

21 Use of Scale for Weighing Only ..... \$15.00/Weigh

22 Recycling Service

23 Conventional Recycling Excluding Glass (Inside Santa Fe County) ..... No Charge

24 (Vehicles in excess 10,000 lbs GVW)

25 Conventional Recycling Excluding Glass (Outside Santa Fe County) ..... \$15.00/Ton

26 (Vehicles in excess of 10,000 lbs GVW)



1	Glass (Vehicles in excess of 10,000 lbs GVW).....	\$15.00/Ton
2	Drop-Off Recycling (Vehicles less than 10,000 GVW).....	No Charge
3	Green Waste .....	\$20.00/Ton
4	Contaminated Green Waste .....	\$55.00/Ton
5	Household Hazardous Waste (Santa Fe Residents Only).....	\$45.00/Ton*
6	Electronic Scrap.....	\$45.00/Ton*
7	Scrap Tires.....	\$160.00/Ton
8	Passenger Tires .....	\$2.00/Tire
9	Commercial Truck Tires.....	\$6.00/Tire
10	Scrap Metal.....	\$15.00/Ton*
11	Freon Bearing Appliance (contains CFC's) .....	\$10.00/Unit
12	Non-Freon Bearing Appliance (White Goods).....	\$5.00/Unit
13	Mercury-Containing Lamp .....	No Charge
14	Unsecured Load Surcharge.....	\$15.00/Load
15	Minimum Load Charge .....	\$5.00/Load

\*No Minimum Load Charge

#### Material Sales

18	Composted Mulch.....	\$7.50/yd <sup>3</sup>
19	Screened Compost.....	\$10.00/yd <sup>3</sup>
20	Mulch.....	\$3.00/yd <sup>3</sup>
21	Oversized Mulch.....	\$0.50/yd <sup>3</sup>
22	Compost and Mulch Available to the Public (less than 1 yd <sup>3</sup> ).....	No Charge
23	Glass Aggregate.....	\$5.00/Ton
24	Glass Aggregate Available to the Public (less than 1 yd <sup>3</sup> ).....	No Charge
25	Tire Bale .....	\$5.00/Unit



1    Processed Conventional Recycling ..... Highest Bid Price  
2    Processed Electronic Scrap..... Highest Bid Price  
3    Recovered Scrap Metal..... Highest Bid Price  
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1 EXHIBIT A-2

2 SCHEDULE OF FEES

3 (Effective July 1, 2011 through June 30, 2012)

4  
5 Landfill Service

6 Commercial Vehicles

7 Vehicles 12,500-18,000 lbs GVW..... \$47.50/Ton

8 Vehicles greater than 18,000 lbs GVW..... \$37.50/Ton

9 Immediate Burial..... \$77.50/Ton

10 Petroleum Contaminated Soil (>1,000 ppm TPH)..... \$57.50/Ton

11 Uncovered Load Surcharge.....\$25.00/Load

12 Minimum Load Charge.....\$5.00/Load

13 Use of Scale for Weighing Only..... \$15.00/Weigh

14 Transfer Service

15 Vehicles less than 4,000 lbs GVW.....\$5.00/Load

16 Vehicles 4,000-6,000 lbs GVW.....\$10.00/Load

17 Vehicles greater than 6,000 lbs GVW..... \$47.50/Ton

18 Vehicles with Trailers..... \$47.50/Ton

19 Uncovered Load Surcharge.....\$15.00/Load

20 Minimum Load Charge.....\$5.00/Load

21 Use of Scale for Weighing Only..... \$15.00/Weigh

22 Recycling Service

23 Conventional Recycling Excluding Glass (Inside Santa Fe County)..... No Charge

24 (Vehicles in excess 10,000 lbs GVW)

25 Conventional Recycling Excluding Glass (Outside Santa Fe County)..... \$20.00/Ton

26 (Vehicles in excess of 10,000 lbs GVW)



1	Glass (Vehicles in excess of 10,000 lbs GVW).....	\$15.00/Ton
2	Drop-Off Recycling (Vehicles less than 10,000 GVW).....	No Charge
3	Green Waste .....	\$20.00/Ton
4	Contaminated Green Waste .....	\$57.50/Ton
5	Household Hazardous Waste (Santa Fe Residents Only).....	\$47.50/Ton*
6	Electronic Scrap.....	\$47.50/Ton*
7	Scrap Tires .....	\$160.00/Ton
8	Passenger Tires .....	\$2.00/Tire
9	Commercial Truck Tires.....	\$6.00/Tire
10	Scrap Metal .....	\$15.00/Ton*
11	Freon Bearing Appliance (contains CFC's) .....	\$10.00/Unit
12	Non-Freon Bearing Appliance (White Goods).....	\$5.00/Unit
13	Mercury-Containing Lamp .....	No Charge
14	Unsecured Load Surcharge.....	\$15.00/Load
15	Minimum Load Charge .....	\$5.00/Load

\*No Minimum Load Charge

#### Material Sales

18	Composted Mulch.....	\$7.50/yd <sup>3</sup>
19	Screened Compost .....	\$10.00/yd <sup>3</sup>
20	Mulch.....	\$3.00/yd <sup>3</sup>
21	Oversized Mulch.....	\$0.50/yd <sup>3</sup>
22	Compost and Mulch Available to the Public (less than 1 yd <sup>3</sup> ).....	No Charge
23	Glass Aggregate.....	\$5.00/Ton
24	Glass Aggregate Available to the Public (less than 1 yd <sup>3</sup> ).....	No Charge
25	Tire Bale .....	\$5.00/Unit



1 Processed Conventional Recycling ..... Highest Bid Price  
2 Processed Electronic Scrap..... Highest Bid Price  
3 Recovered Scrap Metal..... Highest Bid Price  
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1 EXHIBIT A-3

2 SCHEDULE OF FEES

3 (Effective July 1, 2012)

4  
5 **Landfill Service**

6 Commercial Vehicles

7 Vehicles 12,500-18,000 lbs GVW ..... \$50.00/Ton

8 Vehicles greater than 18,000 lbs GVW ..... \$40.00/Ton

9 Immediate Burial ..... \$80.00/Ton

10 Petroleum Contaminated Soil (>1,000 ppm TPH) ..... \$60.00/Ton

11 Uncovered Load Surcharge ..... \$25.00/Load

12 Minimum Load Charge ..... \$5.00/Load

13 Use of Scale for Weighing Only ..... \$15.00/Weigh

14 **Transfer Service**

15 Vehicles less than 4,000 lbs GVW ..... \$6.00/Load

16 Vehicles 4,000-6,000 lbs GVW ..... \$12.00/Load

17 Vehicles greater than 6,000 lbs GVW ..... \$50.00/Ton

18 Vehicles with Trailers ..... \$50.00/Ton

19 Uncovered Load Surcharge ..... \$15.00/Load

20 Minimum Load Charge ..... \$5.00/Load

21 Use of Scale for Weighing Only ..... \$15.00/Weigh

22 **Recycling Service**

23 Conventional Recycling Excluding Glass (Inside Santa Fe County) ..... No Charge

24 (Vehicles in excess 10,000 lbs GVW)

25 Conventional Recycling Excluding Glass (Outside Santa Fe County) ..... \$20.00/Ton

26 (Vehicles in excess of 10,000 lbs GVW)



1	Glass (Vehicles in excess of 10,000 lbs GVW).....	\$15.00/Ton
2	Drop-Off Recycling (Vehicles less than 10,000 GVW).....	No Charge
3	Green Waste .....	\$20.00/Ton
4	Contaminated Green Waste .....	\$60.00/Ton
5	Household Hazardous Waste (Santa Fe Residents Only).....	\$50.00/Ton*
6	Electronic Scrap.....	\$50.00/Ton*
7	Scrap Tires .....	\$160.00/Ton
8	Passenger Tires .....	\$2.00/Tire
9	Commercial Truck Tires.....	\$6.00/Tire
10	Scrap Metal.....	\$15.00/Ton*
11	Freon Bearing Appliance (contains CFC's) .....	\$10.00/Unit
12	Non-Freon Bearing Appliance (White Goods).....	\$5.00/Unit
13	Mercury-Containing Lamp .....	No Charge
14	Unsecured Load Surcharge.....	\$15.00/Load
15	Minimum Load Charge .....	\$5.00/Load

16     *\*No Minimum Load Charge*

#### 17     **Material Sales**

18	Composted Mulch.....	\$7.50/yd <sup>3</sup>
19	Screened Compost .....	\$10.00/yd <sup>3</sup>
20	Mulch.....	\$3.00/yd <sup>3</sup>
21	Oversized Mulch.....	\$0.50/yd <sup>3</sup>
22	Compost and Mulch Available to the Public (less than 1 yd <sup>3</sup> ).....	No Charge
23	Glass Aggregate.....	\$5.00/Ton
24	Glass Aggregate Available to the Public (less than 1 yd <sup>3</sup> ).....	No Charge
25	Tire Bale .....	\$5.00/Unit



1      Processed Conventional Recycling ..... Highest Bid Price  
2      Processed Electronic Scrap..... Highest Bid Price  
3      Recovered Scrap Metal..... Highest Bid Price  
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1 EXHIBIT B

2 ACCEPTED MATERIAL TABLE

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Material Type	Caja del Rio Landfill	Buckman Road Recycling & Transfer Station
7 Vehicles greater than 12,500 lbs GVW	Yes	No
8 Vehicles with Self-Dumping Trailers	Yes	No
9 Dead Animals	Yes	No
10 Large/Bulky Items Exceeding Limits for Transfer Service	Yes	No
11 Petroleum Contaminated Soils	Yes	No
12 Sludge	Yes	No
13 Vehicles less than 12,500 lbs GVW	No	Yes
14 Vehicles with Trailers Requiring Manual Unloading	No	Yes
15 Conventional Recycling	No	Yes
16 Green Waste	No	Yes
17 Manure	No	Yes
18 Scrap Metal	No	Yes
19 Scrap Tires	No	Yes
20 Electronic Scrap	No	Yes
21 Mercury-Containing Lamp	No	Yes
22 Freon Bearing Appliance	No	Yes
23 Non-Freon Bearing Appliance	No	Yes
24 Household Hazardous Waste	No	Yes*

25 \*Accepted when permanent HHW facility opens



1 **EXHIBIT C**

2 **HOURS OF OPERATION**

3  
4 **Caja del Rio Landfill**

5 Monday - Saturday 7:00 am – 5:00 pm\*

6 Closed Sundays and Landfill Posted Holidays

7 *\*Commercial Account Holders Only Between 4:00 pm and 5:00 pm*

8 **Landfill Posted Holidays**

9 New Year's Day

10 Thanksgiving Day

11 Christmas Day

12 **Buckman Road Recycling and Transfer Station (BuRRT)**

13 Sunday – Saturday 8:00 am – 4:45 pm\*

14 Closed BuRRT Posted Holidays

15 *\*Loads must be unloaded and out by 5:00 pm*

16 **BuRRT Posted Holidays**

17 New Year's Day

18 Easter Sunday

19 Memorial Day

20 Independence Day

21 Labor Day

22 Thanksgiving Day

23 Christmas Day