



Anti-Dumping and Anti-Littering Task Force

Report and Actionable Recommendations

September 30, 2016

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Anti-Dumping and Anti-Littering Task Force Members

Mark Alexander (CHAIR)	Director, Maintenance & Operations, Delaware Department of Transportation (DelDOT)
Jennifer Cohan	Secretary, DelDOT
Senator Karen Peterson	State Senator, Democratic Caucus
Senator Gary Simpson	State Senator, Republican Caucus
Representative Richard Collins	State Representative, Republican Caucus
Ralph "Dirk" Durstein, III	Department of Justice (DOJ)
Major Galen Purcell	Delaware State Police (DSP)
John Sebastian	Department of Corrections (DOC)
Kelly A. Williams	Governor Appointee, City of Wilmington
Michael D. Parkowski	Delaware Solid Waste Authority (DSWA)
Marjorie Crofts	Department of Natural Resources & Environment Control (DNREC)
Dee Durham	DE Non-Profit Environmental Advocacy Committee, Bring Your Own Bag
Julie Miro Wenger	DE Non-Profit Environmental Advocacy Committee, Delaware Food Industry Council
Pamela J Bakerian	Delaware State Farm Bureau
Robert Tunnell, III	DE Waste Hauling Industry, Blue Hen Disposal/Waste Management
Mike Costello	Sussex County
Tina Shockley	Department of Education (DOE)
Kurt Pilarski	Waste Management

Staff Support

Annie Cordo	Department of Justice (DOJ)
Geoff Sundstrom	Director of Community Relations, DelDOT
Evan Park	Legislative Liaison, DelDOT
Carol Cain	Environmental Scientist IV, DelDOT
Lesley Devine	Executive Assistant to the Secretary, DelDOT

Preface

In March 2016 the 148th General Assembly passed House Concurrent Resolution No. 40 as amended House Amendment Nos. 1 and 2. The resolution called for the creation of the Delaware Anti-Dumping and Anti-Littering Task Force.

The Task Force was charged to complete the following:

- Quantify and define littering and illegal dumping issues
- Identify and review current actions in the State
- Identify and review current actions in other states
- Consider creating an annual public awareness and educational campaign
- Report on the scope and nature of the issue
- Report on “actionable recommendations”
- Report on strategy for coordinating efforts of the various State agencies
- Report on funding needs and potential sources
- Report on needed legislative actions
- Report its findings no later than September 30, 2016

The following is the report on the findings and recommendations of the Task Force. The findings and recommendations are presented in the order requested in House Concurrent Resolution No. 40 (with amendments).

Executive Summary of the Findings and Recommendations

A description of the littering and illegal dumping issue was provided in the resolution. The resolution stated, "There are countless instances of illegal dumping occurring every year in Delaware. There are dozens, if not hundreds, of sites where illegal dumping regularly occurs in our state. Litter is a pervasive problem in our State impacting roadsides, parks, waterways, open spaces, and public and private properties." This describes the "nature" of the issue very well.

There is a multitude of actions being undertaken by various agencies across the State in response to the issue:

Department of Transportation (DelDOT)

- In-house forces picking up litter and cleaning up dump sites
- Inmate assistance
- Adopt-A-Highway
- Sponsor-A-Highway

Department of Natural Resources and Environmental Control (DNREC)

- Annual Delaware Coastal Clean-Up
- Annual Inland Bays Clean-Up
- Christina River Clean-Up
- Scrap Tire Recycling Drop-Off
- Scrap Tire Removal Projects
- Enforcement
 - Parks and Recreation
 - Fish and Wildlife
 - Environmental Crimes Unit

Delaware State Police (DSP)

The DSP enforces Motor Vehicle Code (Title 21) and Criminal Code (Title 11) violations related to littering and illegal dumping they observe on patrol.

Department of Corrections (DOC)

DOC provides inmate assistance critical for roadway and other clean-up projects.

Volunteer Work by Citizens

Citizens are the primary workforce for many volunteer clean-up efforts throughout the state.

Corporations and Organizations

Many corporations and organizations provide valuable support to clean-up efforts.

Delaware Solid Waste Authority (DSWA)

The Delaware Solid Waste Authority (DSWA) has a Community Clean-Up Initiative Program (CCIP) which allows communities to take on clean-up projects with little or no cost to them.

Waste Hauling Industry

The Waste Hauling Industry provides education and training for all their employees and customers to minimize accidental spillage from the storage/loading/disposal process. They are also updating equipment to eliminate manual loading and better contain trash.

Department of Education (DOE)

Schools teach about and award for environmental stewardship.

City of Wilmington (COW)

The COW works with private property owners experiencing repeated illegal dumping activities on their properties. The City encourages the property owners to install cameras to assist with investigations.

Sussex County

Sussex County has expanded the use of Crime Stoppers to include littering and illegal dumping crimes offering a \$200 reward for any tips leading to an arrest.

Keep Delaware Beautiful Affiliate (KDBA)

This affiliate is just forming and is partnering with the Keep America Beautiful (KAB) non-profit organization. KAB inspires and educates people to take action every day to improve and beautify their community environment. KDBA has their initial strategic planning meeting scheduled for November 10, 2016. The KDBA will be instrumental in public awareness and educational campaign efforts.

The respective tonnages and collection numbers from the various clean-up efforts listed are provided in the report. The number of violations and fines is also provided. Though not inclusive, the collection numbers do show the large magnitude and wide breadth of the littering and illegal dumping issue in the state.

All of the current actions were deemed to be effective to one degree or another. There are multiple proposed actionable recommendations later in the report that will potentially increase the effectiveness of many of the current actions.

The strategies employed in other states were also reviewed by DeIDOT and DNREC. The reality is the other states were using the same measures as Delaware. There were no “new” or “silver bullet” suggestions provided by the other states.

Despite the current actions being taken, littering and illegal dumping are still occurring. As a result, the Task Force was formed and asked to provide “actionable recommendations”. After multiple Task Force meetings, which included several very informative presentations and discussions, we offer the following “actionable recommendations”:

1. **Enhance current anti-littering and anti-dumping efforts throughout the State cited in the report.** (Task Force)
2. **Fully support the Keep Delaware Beautiful Affiliate.** (Julie Miro Wenger)
3. **Encourage the Department of Education and individual districts and schools to work with the Keep Delaware Beautiful Affiliate on its youth/education initiatives.** (Julie Miro Wenger/Tina Shockley)
4. **Reward/encourage/support volunteerism.** (Geoff Sundstrom)
5. **Support the Department of Corrections' efforts to increase availability of correctional officers for supervising clean-up duties.** (John Sebastian)
6. **Explore options to have those on probation and parole to work with DelDOT picking up litter and illegal dumping to help them meet their community service hours' requirements.** (John Sebastian/Mark Alexander)
7. **Expanding Crime Stoppers for littering/dumping violations from Sussex County to include Kent and New Castle Counties.** (Mike Costello/Robert Mooney, Delaware Crime Stoppers).
8. **Sussex County was also exploring options to increase advertising for Crime Stoppers. Any successful measures could be considered for implementation statewide.** (Mike Costello/Robert Mooney, Delaware Crime Stoppers/Mark Alexander).
9. **DelDOT needs to further promote and support one-time community/business clean-up efforts.** (Mark Alexander/Evan Park)
10. **DelDOT needs to consider allowing double adoption of popular roadway sections.** (Geoff Sundstrom)
11. **Expansion of the City of Wilmington's practice of encouraging private camera installations by private property owners where illegal dumping is repeatedly occurring for illegal dumping investigations to other agencies.** (Kelly Williams)
12. **Increase penalties for dumping versus littering.** (Ralph Durstein, III/Representative Collins)
13. **When major offenders are identified, should consider including as part of the penalty payments into a dedicated fund for law enforcement overtime, clean-up efforts, and security cameras.** (Ralph Durstein, III/Representative Collins)
14. **Delaware State Police could implement monthly roll call training to emphasize anti-littering/anti-dumping activity and take appropriate action when applicable.** (Galen Purcell)
15. **Highly publicizing a significant arrest made with a dumping/littering defendant could be an effective deterrent.** (Galen Purcell)
16. **Develop an interagency "Strike Force".** (Ralph Durstein III)

17. Explore the possibility and practicality of a statewide one-call center to report littering and illegal dumping activity.

As far as a path forward, champions have already been assigned to each recommendation. The champions will take the lead on evaluation/implementation/reporting on their respective recommendation(s).

It is recommended that a Task Force remain in place during this implementation period. A Task Force will provide continuity and also review, monitor, and most importantly, help facilitate the implementation of the actionable recommendations.

This current Task Force expires with the expiration of the 148th General Assembly on November 8, 2016. Therefore, this Task Force is recommending a new Task Force be created by the 149th General Assembly to maintain continuity and review, monitor, and most importantly, help facilitate the implementation of the provided actionable recommendations.

Quantify and Define the Littering and Illegal Dumping Issues (Scope and nature of littering and illegal dumping in Delaware)

Now addressing findings and reporting in detail, per House Resolution 40 the task force shall “quantify and define the residential and commercial aspects of Delaware littering and illegal dumping issues”. The resolution also stipulated that this report shall include “the scope and nature of littering and illegal dumping in Delaware”. Both are similar and will be addressed in this section.

Regarding the “nature” of the littering and dumping issue, the house resolution provides a very good description. The resolution states that “there are countless instances of illegal dumping occurring every year in Delaware. There are dozens, if not hundreds, of sites where illegal dumping regularly occurs in our state. Litter is a pervasive problem in our state, impacting roadsides, parks, waterways, open spaces, and public and private properties”. This describes the “nature” of the issue very well.

As far as defining “littering and illegal dumping,” both are addressed several times throughout Delaware Code. Littering and illegal dumping are referenced in Title 7 (Conservation), Title 16 (Health and Safety), Title 17 (Highways), and Title 21 (Motor Vehicles).

“Litter” is defined in the Delaware State Code, 16 Del.C., §1601, as “shall include all rubbish, waste material, refuse, cans, bottles, garbage, trash, debris, dead animals or other discarded materials of every kind and description”.

Littering and illegal dumping are defined as “unlawful activities”. The Delaware State Code, 16 Del.C., §1604, states, “It shall be unlawful for any person or persons to dump, deposit, throw or leave, or cause or permit to the dumping, depositing, placing, throwing or leaving of litter on any public or private property of this State or any waters of this State.”

To “quantify” and provide the “scope” of littering and illegal dumping issues in the state, several members of the Task Force reported on yearly litter/dumping collection efforts by their agencies. Their comprehensive reports, including multiple years, are included as attachments. The latest Calendar Year 2015 collection numbers are being provided in this part of the report to “quantify” and provide the “scope” of the littering and dumping issues in the state.

DelDOT Calendar Year 2015

	# Bags Collected	Approximate Tons
	25-gallon bags	Tons
In-House & Inmates	43,959	439.59
Adopt-A-Highway (AAH)	4,597	45.97
Sponsor-A-Highway (SAH)	1,643	16.43
TOTAL	50,199	501.99

*Assume 25-gallon bag
~20 pounds/bag

Tires – 6,740
Appliances - 280

DNREC Calendar Year 2015

<u>Annual Delaware Coastal Clean-Up</u> From 50 sites	7.8 tons
<u>Annual Inland Bay Clean-Up</u> Last year collected 1,000 pounds Averages 3,292 pounds/year	0.5 tons 1.6 tons
<u>Christina River Clean-Up</u> Volunteers during the 2015 clean-up were able to bring in a new high of 23.4 tons of trash, tires and recycling Clean-up volunteers typically collect 16 tons of debris	23.4 tons
<u>Scrap Tire Collection Days</u>	157.9 tons
<u>Scrap Tire Removal Projects</u>	933.7 tons
<u>Fish and Wildlife (F&W) Staff</u> Collect approximately 20 tons per year of material from state wildlife areas. This includes both litter and dumping	~20 tons

City of Wilmington

Addressed illegal dumping sites YTD Calendar Year 2016 98 sites

Delaware State Police

Major Galen Purcell, Delaware State Police, provided enforcement data from both Fiscal Year 2015 and Fiscal Year 2016. This is enforcement action taken by all law enforcement agencies statewide. In Fiscal Year 2015 there were 288 arrests/charges from all enforcement agencies. There was \$11,360.00 in fines assessed. Fiscal Year 2016 had similar numbers at 287 arrests/charges and \$12,274.75 in fines assessed.

The above numbers are by no means inclusive; however, they do “quantify” and help provide the “scope” of the littering and illegal dumping issue in Delaware. The numbers show the large magnitude and wide breadth of the issue.

Actions the State is Already Employing and Evaluate Their Effectiveness

This section will provide details on the various actions being taken. The collection numbers associated with some of these actions have been provided previously.

Department of Transportation (DelDOT)

In-House Forces – DelDOT utilizes their staff for picking up litter and cleaning up dump sites. Staff will do “trashing only” assignments as complaints and resources dictate. Mowing crews perform cursory review and trash removal prior to mowing. Staff also assists with the inmate litter crews.

Inmate Assistance – Inmates account for approximately one-third of the litter picked up along roadways by DelDOT. Crews are provided from facilities across the state. The current breakdown of inmate assistance to the districts is as follows:

- North District (upper New Castle County) – on rare occasions a crew from Plummer House (one crew twice in July)
- Canal District (lower New Castle County) – one crew from Smyrna DOC two to three times/month; one crew from Plummer House two to three times/week
- Central District (Kent County) – regularly receives two crews from Smyrna DOC
- South District (Sussex County) – regularly receives two crews from Sussex DOC

A crew is typically five to eight inmates.

Adopt-A-Highway – Begun in 1990, the Adopt-A-Highway (AAH) program is a partnership between DelDOT and volunteers working together to make Delaware better two miles at a time. Currently, more than 800 groups, organizations and individuals adopt stretches of roadway throughout the state. Participants agree to care for a two-mile section of road in their community. Groups are responsible for conducting and reporting at least three clean-ups per year.

Sponsor-A-Highway – Program started in late 2003. This is limited to I-95, I-495, I-295 and SR-1 (tolled) and Puncheon Run Connector. Sponsors fund professional crews to remove the litter. In return, sponsors receive recognition through large signage. Pickups are generally bi-weekly. Sponsored sections are typically one mile or two miles in one direction. Currently, about 15 percent of available roads are sponsored.

Department of Natural Resources and Environmental Control (DNREC)

Annual Delaware Coastal Clean-Up – The just held September 17, 2016, event was the 30th Annual Coastal Clean-Up. The clean-up spans the First State’s 97 miles of eastern coastline and includes river and ocean shorelines as well as watershed areas. More than 50 sites across the state are targeted for volunteers to scour and make cleaner. On September 19, 2015, the clean-up drew 1,492 volunteers, and they collected 7.8 tons of trash.

Annual Inland Bays Clean-Up – The 12th Annual Inland Bays Clean-Up was June 11, 2016. In 2016 the clean-up concentrated on Rehoboth Bay and Indian River Bay areas. The event averages 3,292 pounds (1.65 tons) of clean-up and in 2015 had 75 volunteers, which is about average for number of volunteers.

Christina River Clean-Up – The 25th Annual Christina River Clean-Up along the river and several of its tributaries was held on April 9, 2016. Clean-up was designated for 15 sites. This clean-up typically collects 16 tons of debris annually and averages over 540 volunteers per year.

Scrap Tire Recycling Drop-Off – Delaware authorized a scrap tire program in 2007. This program includes drop-off events for residents. DNREC invites Delaware residents to recycle their old and disused tires. Residents can bring up to ten passenger car or light duty truck tires from their households for recycling. From 2008-2015 DNREC has held 17 drop-off events and collected 664.20 tons of scrap tires. In 2015 they collected 157.9 tons.

Scrap Tire Removal Projects – As noted above, Delaware authorized a scrap tire program in 2007. This program also includes cleaning up large tire piles in existence before June 30, 2006. To date DNREC has cleaned up 160 scrap tire piles removing 25,568 tons of scrap tires. In 2015 they collected 933.68 tons.

Enforcement

- Parks and Recreation (Parks) – Jurisdiction is statewide but generally only enforced on park property. They will enforce littering and dumping laws by issuing citations. Park staff and friends groups do clean up garbage to keep the parks clean. Parks are “carry in/carry out”.
- Fish and Wildlife (F&W) – Jurisdiction is statewide. They will enforce littering and dumping laws by issuing citations. Division staff does clean up garbage to keep the F&W areas clean.
- Environmental Crimes Unit (ECU) – Jurisdiction is statewide. They investigate dumping incidents and enforce littering and dumping laws by issuing citations. ECU also investigates dumping instances but not littering.

Delaware State Police (DSP)

The Delaware State Police take enforcement action on motor vehicle code (Title 21) and criminal code (Title 11) violations (relating to littering and dumping) that they observe or encounter while in their patrol functions.

Department of Corrections (DOC)

DOC provides inmate assistance critical for roadway and other clean-up projects. As outlined above for DelDOT, various crews from various facilities work in all the districts throughout the State. Inmates account for roughly one-third of the litter picked up along roadways by DelDOT.

Volunteer Work by Citizens

Citizens are the primary workforce for many volunteer clean-up efforts throughout the State. Volunteers are the key participants in the above-listed Adopt-A-Highway and DNREC clean-up efforts. Citizens assist with many organized clean-up efforts. It was noted that some citizens conduct their own individual (non-organized) clean-up efforts.

Corporations and Organizations

Many corporations and organizations also provide valuable support to clean-up efforts. This support is in the form of supplies, manpower, equipment and financial.

Delaware Solid Waste Authority (DSWA)

The Delaware Solid Waste Authority (DSWA) has a Community Clean-Up Initiative Program (CCIP) which allows communities to take on clean-up projects with little or no cost to them. The program allows State legislators to allocate DSWA-budgeted funds towards the disposal fees from clean-up projects in their districts. State senators receive \$2,000 per year, and State representatives receive \$1,000 per year to use towards DSWA tipping fees for whatever projects they choose. Through contractual arrangements with several trash haulers, DSWA has added the ability to provide hauling services from our trash hauling partners to collect the material from the CCIP projects at no cost to the community. This new service will allow the opportunity for an increase in clean-up projects around the State. Based on a recommendation by the Task Force, the DSWA Board of Directors has recently approved doubling the amount of budgeted funds going to the State legislators. State senators will now receive \$4,000 per year, and State representatives will now receive \$2,000 per year. This increase in funds coupled with the trash hauling will allow for more projects to take place and help with the litter and illegal dumping problems happening around the State.

Waste Hauling Industry

The Waste Hauling Industry provides education and training for all their employees and customers to minimize accidental spillage from the storage/loading/disposal process. They are also updating equipment to eliminate manual loading and better contain trash. The industry also provides customer educational programs for proper waste stream collection (waste/recycling) along with proper use and curbing of the residential trash containers. This is another measure that helps minimize accidental spillage from storage/loading/hauling.

Department of Education (DOE)

Relative to the State's Next Generation Science Standards, schools teach about recycling, reusing materials, protecting the environment, water quality, physical/chemical changes to materials and how these issues impact humans.

DOE promotes the U.S. Department of Education's Green Ribbon Schools Program. This award is given to schools to recognize them for incorporating environmental learning into their daily efforts which results in positive health and environmental outcomes in their schools. It's measurable. It's for schools that live what they teach in terms of environmental stewardship.

Additionally, DOE advised its Science Curriculum staff as well as traditional public and charter schools about the task force and its mission and objectives.

The Task Force strongly encourages the school districts and DOE to support the KDBA and DSWA education efforts.

City of Wilmington

City of Wilmington (COW) investigates illegal dumping activities. COW works with private property owners where illegal dumping is repeatedly occurring and encourages them to install video cameras to assist with the investigations. COW then works with the property owner and available video as part of the investigation in an effort to make an arrest.

Sussex County

In July 2015 Crime Stoppers was expanded in Sussex County as an avenue to report littering and illegal dumping activities within Sussex County. The reward for a tip that leads to an arrest was originally \$100. As of August 2016, it was increased to \$200. To date the program has received five littering or illegal dumping tips. However, none have led to an arrest.

Keep Delaware Beautiful Affiliate (Delaware Food Industry Council)

The Governor signed a proclamation for the formation of a Keep Delaware Beautiful affiliate. This affiliate is to partner with the Keep America Beautiful non-profit organization, a leading national non-profit organization. Keep America Beautiful inspires and educates people to take action every day to improve and beautify their community environment.

Established in 1953, Keep America Beautiful provides the expertise, program and resources to help people end littering, improve recycling, and beautify America's communities. The organization is driven by the work and passion of more than 600 community-based Keep American Beautiful affiliates, millions of volunteers, and the support of corporate partners, municipalities, elected officials and individuals.

The Delaware Food Industry Council is taking the lead on creating the affiliate, and the Delaware Solid Waste Authority has committed \$40,000 annually to get the affiliate up and off the ground. Julie Miro Wenger is the Executive Director of the Delaware Food Industry Council and is also a member of this task force committee. Julie advises that there is a strategic planning day scheduled on November 10, 2016, to develop the Keep Delaware Beautiful Affiliate. They expect this to be a six-hour planning meeting. The Keep America Beautiful Affiliate will be instrumental in public awareness and educational campaign efforts.

A more specific path forward will be established for the Delaware affiliate after the strategic planning meeting. Additional information on this chapter is outlined on Page 4 of the attached July 6, 2016, minutes and the Keep America Beautiful website.

The Keep Delaware Beautiful Affiliate will be an essential partner for future anti-littering and anti-dumping efforts.

As presented, there is a varied array of actions currently being taken by the different agencies. As far as evaluating their effectiveness, that becomes very subjective. They are all effective to one degree or another in the fight against littering and illegal dumping. There are no current actions the Task Force Committee would recommend discontinuing due to ineffectiveness.

With that said all the actions can also potentially be more effective. There are multiple proposed actionable recommendations later in this report that will potentially increase the effectiveness of these current actions. For example, more volunteer participation will result in larger clean-ups.

Identify and Review Effective Strategies Employed in Other States

DelDOT sent out a Survey Monkey survey to 20 other states through AASHTO. Details of the survey are provided in the Appendices. Basically, the current measures being used by DelDOT are also being widely used by the other states.

The states were asked to provide any additional measures they were using in their efforts to address littering and illegal dumping. There were 18 measures listed. Many were not new to DelDOT. Also, many measures were items to be addressed/encouraged by the Keep Delaware Beautiful Affiliate.

There were a few measures that were “new” but are not being put forward as an “actionable recommendation” at this time. For example, some type of license plate logo was being used. A tax on malt beverages and soft drinks for the litter control funding is also being used. The reality is there was no new “silver bullet” suggestion provided by the other states through the DelDOT survey.

Marjorie Crofts, Director, DNREC Division of Waste and Hazardous Substances, advised she attended a Region III meeting with counterparts on July 13-14, 2016. They discussed the littering and illegal dumping issues. The other states mentioned their use of cameras for illegal dumping activities. The other states offered nothing new or different than the measures DNREC is currently taking toward littering and illegal dumping.

The other agencies represented in the committee did not report anything new being done by counterparts in other states.

In short, it appears many states are using the same measures being used in Delaware. The key will be to improve their effectiveness as will be outlined later in the “actionable recommendations”. The development of the Keep Delaware Beautiful Affiliate will be critical for improving effectiveness and by providing public awareness and educational campaign efforts.

Considering Creating an Annual Public Awareness and Educational Campaign

As noted, creating an annual public awareness and educational campaign will be a key responsibility of the Keep Delaware Beautiful Affiliate. The Keep America Beautiful non-profit organization inspires and educates people to take action every day to improve and beautify their community environment. This is done through public awareness and educational campaigns. The national organization was established in 1953 and with its many years of experience will serve as a great reference and resource to the affiliate.

The Keep Delaware Beautiful Affiliate will work with government, corporations, communities and individuals in an effort to provide these campaigns.

Public Hearings

The Task Force Committee did not hold any separate public hearings to gather input and solicit ideas from the public. Notice of the Task Force meetings was provided, and no one from the general public elected to attend. With the relatively short report date of September 30, 2016, and aggressive meeting schedule, it was decided not to hold any separate public hearings.

Scope and Nature of Littering and Illegal Dumping in Delaware

The resolution stated that the scope and nature of the issue should be provided in the report. This has already been provided earlier under “Quantify and Define the Littering and Illegal Dumping Issues”. Refer to that section on Page 9.

Actionable Recommendations for Reducing Littering and Illegal Dumping in Delaware

Despite the current actions being taken, littering and illegal dumping are still occurring. As a result, the Task Force was formed and asked to provide “actionable recommendations.” After multiple Task Force meetings, which included several very informative presentations and discussions, we offer the following “actionable recommendations”:

1. **Enhance current anti-littering and anti-dumping efforts throughout the State cited in the report.** (Task Force)
2. **Fully support the Keep Delaware Beautiful Affiliate.** Keep America Beautiful is a leading national non-profit organization. They inspire and educate people to take action every day to improve and beautify their community environment. The Keep Delaware Beautiful Affiliate will be instrumental in public awareness and educational campaign efforts. Keep America Beautiful takes a behavioral approach to litter prevention, community beautification, and waste reduction and recycling. The State needs to explore ways to support this organization. Various proposed public education programs were suggested by task force members. (Julie Miro Wenger)
3. **Encourage the Department of Education and individual districts and schools to work with the Keep Delaware Beautiful Affiliate on its youth/education initiatives.** The affiliate will need to work with the local public schools/districts and charter schools to determine specific school needs relative to materials, lessons, etc. to address litter awareness and environmental education in the classroom. It is noted that other agencies will need to work with the KDBA too. (Julie Miro Wenger/Tina Shockley)
4. **Reward/encourage/support volunteerism.** As noted, many clean-up efforts throughout the State are done with volunteers. Any measures to increase volunteerism will result in more comprehensive clean-ups. An increase in volunteerism should be realized through the Delaware Chapter of Keep America Beautiful efforts. Suggestions to increase volunteerism for the Adopt-A-Highway program were made. One was to consider a tax credit to individuals or businesses. Another was to reach out to high schools and advise that Adopt-A-Highway is available for community service hours. Secretary Cohan suggested possibly a recognition dinner for Adopt-A-Highway participants. These measures could be considered for any volunteer program. (Geoff Sundstrom)
5. **Support the Department of Corrections’ efforts to increase availability of correctional officers for supervising clean-up duties.** Inmate assistance is a major part of DelDOT’s clean-up efforts. Historically, the high vacancy rate of correctional officers is why inmate availability is limited. Any measures by the General Assembly, OMB or others that can increase correctional officer availability would allow for more clean-up efforts by inmates. This recommendation is being made with the recognition that the high vacancy rate for correctional officers is already a priority for DOC. (John Sebastian)
6. **Explore options to have those on probation and parole to work with DelDOT picking up litter and illegal dumping to help them meet their community service hours’ requirements.** DelDOT and DOC would have to work out the logistics. This

apparently has been attempted in the past with no success but should be revisited. (John Sebastian/Mark Alexander)

7. **Expanding Crime Stoppers for littering/dumping violations from Sussex County to include Kent and New Castle Counties.** Crime Stoppers is being used in Sussex County to report littering/dumping crimes. A total of five tips have been received; however, no rewards have been given yet. Just increased reward to \$200 for a tip leading to an arrest. Legislatively will need to change the Crime Stoppers Grant to include the littering and illegal dumping crimes in New Castle and Kent Counties. We would also request that the grant provide the funding for the rewards statewide. (Mike Costello/Robert Mooney, Delaware Crime Stoppers).
8. **Sussex County was also exploring options to increase advertising for Crime Stoppers. Any successful measures could be considered for implementation statewide.** Sussex County wanted to explore signage options. Also requested possible free advertisement at the DMV. (Mike Costello/Robert Mooney, Delaware Crime Stoppers/Mark Alexander).
9. **DelDOT needs to further promote and support one-time community/business clean-up efforts.** (Mark Alexander/Evan Park)
10. **DelDOT needs to consider allowing double adoption of popular roadway sections.** Currently, single adoptions are used for three clean-ups per year. There is more interest in heavily traveled roads. Should evaluate feasibility and interest in allowing second adoptions and signs for the additional three clean-ups. (Geoff Sundstrom)
11. **Expansion of the City of Wilmington's practice of encouraging private camera installations by private property owners where illegal dumping is repeatedly occurring for illegal dumping investigations to other agencies.** (Kelly Williams)
12. **Increase penalties for dumping over littering.** There is currently overlap in the definitions of littering and dumping. Perhaps the General Assembly could look at enhanced penalties for dumping which is generally a more severe offense. (Ralph Durstein, III/Representative Collins)
13. **When major offenders are identified, should consider including as part of the penalty payments into a dedicated fund for law enforcement overtime, clean-up efforts, and security cameras.** Make criminals pay the cost of apprehension and investigation. (Ralph Durstein, III/Representative Collins)
14. **Delaware State Police could implement monthly roll call training to emphasize anti-littering/anti-dumping activity and take appropriate action when applicable.** This could be done through monthly online roll call training utilizing Cornerstone. (Galen Purcell)
15. **Highly publicizing a significant arrest made with a dumping/littering defendant could be an effective deterrent.** This could be done through the PIO of the arresting agency. (Galen Purcell)

16. **Develop an interagency “Strike Force”.** The patchwork of laws and law enforcement responsibility means there is no central coordination of investigation and prosecution. It is up to the agencies involved to assign law enforcement resources to target illegal dumping and littering where they occur. Perhaps this effort could be better addressed through coordination and cooperation through a “strike force” that would target the worst offenders and publicize the effort to prevent and punish dumping and littering. The Governor could issue an Executive Order for the creation of the “Strike Force”. The DOJ could assist as needed with the prosecution of offenders in the courts. (Ralph Durstein III)
17. **Explore the possibility and practicality of a statewide one-call center to report littering and illegal dumping activity.**

Strategy for Coordinating the Efforts of State Agencies Combatting Littering and Illegal Dumping

As you can see from the actionable recommendations, many of the recommendations will require various degrees of interagency cooperation. Success will be contingent on each agency and its leaders recognizing the importance of these efforts and cooperating and providing resources accordingly.

Funding Needs and Sources to Implement These Strategies

At this time the only immediate identifiable need for funding would be for the additional funding for statewide Crime Stoppers for littering and illegal dumping. The source would be determined by the General Assembly. However, many of the other “actionable recommendations” have a potential need for funding. At the time the additional funding needs are identified, potential funding sources will be explored.

Any Legislative Action Needed to Implement These Strategies

At this time the only immediate identified need for legislative action will be to revise the Crime Stoppers Grant to including littering and illegal dumping crimes and to include Kent and New Castle Counties for statewide coverage. A few of the “actionable recommendations” may need future legislative action. If legislative action is required, it will be pursued. Any outstanding needed legislative action would be noted in the proposed follow-up report (January 1, 2018).

Recommended Path Forward

As far as a path forward, champions have already been assigned to each recommendation. The champions will take the lead on evaluation/implementation/reporting on their respective recommendation(s).

It is recommended that a Task Force remain in place during this implementation period. A Task Force will provide continuity and also review, monitor, and most importantly, help facilitate the implementation of the actionable recommendations.

This current Task Force expires with the expiration of the 148th General Assembly on November 8, 2016. Therefore, this Task Force is recommending a new Task Force be created by the 149th General Assembly to maintain continuity and review, monitor, and most importantly, help facilitate the implementation of the provided actionable recommendations.

APPENDICES

APPENDIX 1:

SPONSOR: Rep. Collins & Sen. Lavelle
Reps. D. Short, Hudson, Ramone,
Spiegelman, Wilson, Brady; Sens.
Ennis, Hall-Long, Hocker,
Richardson

HOUSE OF REPRESENTATIVES
148th GENERAL ASSEMBLY

HOUSE CONCURRENT RESOLUTION NO. 40

CREATING THE DELAWARE ANTI-DUMPING AND ANTI-LITTERING
TASK FORCE.

1 WHEREAS, there are countless instances of illegal dumping occurring every year in Delaware; and

2 WHEREAS, there are dozens, if not hundreds, of sites where illegal dumping regularly occurs in our state; and

3 WHEREAS, litter is a pervasive problem in our state, impacting roadsides, parks, waterways, open spaces, and
4 private and public properties; and

5 WHEREAS, littering and illegal dumping not only degrade Delaware's aesthetics, but also negatively affect our
6 environmental protection and economic development efforts; and

7 WHEREAS, littering and illegal dumping are issues that cut across partisan and geographical lines and touch
8 every representative and senatorial district; and

9 WHEREAS, Delaware's struggle to combat these issues has produced insufficient results; and

10 WHEREAS, there is a clear need for Delaware to have a unified plan, including new strategies that will effectively
11 curtail littering and illegal dumping

12 NOW, THEREFORE:

13 BE IT RESOLVED by the House of Representatives of the 148th General Assembly of the State of Delaware, the
14 Senate concurring therein, that the Delaware Anti-Dumping and Anti-Littering Task Force be created in the State of
15 Delaware.

16 BE IT FURTHER RESOLVED that this task force shall consist of the following members:

17 (1) The Delaware Controller General or designee who will serve as the task force chairman.

18 (2) The Secretary of the Department of Natural Resources and Environmental Control (DNREC) or a
19 designee familiar with the agency's efforts to identify and prosecute illegal dumpers.

20 (3) The Chief Executive Officer of the Delaware Solid Waste Authority or designee.

21 (4) The Secretary of the Department of Transportation or a designee familiar with the challenges posed by
22 littering and illegal dumping to the agency.

23 (5) The Commissioner of the Delaware Department of Correction or a designee familiar with the use of
24 prison labor to collect litter and other debris.

25 (6) The State Attorney General, or a designee who can provide expertise on existing laws on littering and
26 illegal dumping and the enforcement of these statutes.

27 (7) Two members representing Delaware's non-profit environmental advocacy community, as appointed by
28 the committee chair.

29 (8) The Delaware State Farm Bureau executive director or designee.

30 (9) One member representing Delaware's waste-hauling businesses, as appointed by the committee chair.

31 (10) The leaders of each of the General Assembly's four legislative caucuses may, if desired, each appoint one
32 task force member.

33 (12) The New Castle County Executive may, if desired, appoint a task force member.

34 (13) The Kent County Administrator may, if desired, appoint a task force member.

35 (14) The Sussex County Administrator may, if desired, appoint a task force member.

36 BE IT FURTHER RESOLVED the task force shall quantify and define the residential and commercial aspects of
37 Delaware's littering and illegal dumping issues.

38 BE IT FURTHER RESOLVED the task force shall explore what actions the state is already employing to address
39 these problems and evaluate their effectiveness.

40 BE IT FURTHER RESOLVED that this task force shall identify and review effective anti-dumping and anti-
41 littering strategies employed in other states.

42 BE IT FURTHER RESOLVED that this task force shall consider creating an annual public awareness and
43 education campaign to curtail littering and illegal dumping.

44 BE IT FURTHER RESOLVED that this task force may, as it deems appropriate, hold one or more hearings to
45 gather input and solicit ideas from the public.

46 BE IT FURTHER RESOLVED that all meetings of the task force, unless otherwise prohibited by existing state
47 law or policy, shall be open to the public.

48 BE IT FURTHER RESOLVED that all meetings of the task force shall be posted in advance and communicated
49 to the media.

50 BE IT FURTHER RESOLVED that the task force shall compile a report including the following:

51. The scope and nature of littering and illegal dumping in Delaware;
52. Actionable recommendations for reducing littering and illegal dumping in Delaware;
53. A strategy for coordinating the efforts of state agencies combating littering and illegal
54. dumping;
55. The funding needed to implement these strategies and where such funds may be derived; and
56. Any legislative action that would be needed to implement these strategies.

57. BE IT FURTHER RESOLVED that the Legislative Council Division of Research, the Office of the Controller

58. General, and the General Assembly shall coordinate and cooperate in providing the staff and administrative support needed

59. for this task force to carry out its mission.

60. BE IT FURTHER RESOLVED the task force shall hold its first meeting no later than August 30, 2015.

61. BE IT FURTHER RESOLVED that the task force shall report its findings to all members of the General Assembly

62. and Governor Jack Markell via e-mail no later than March 15, 2016.

63. SYNOPSIS

Seeking to address the pervasive problems of littering and illegal dumping in Delaware, this concurrent resolution would create the Delaware Anti-Dumping and Anti-Littering Task Force. The task force would be charged with defining the scope of the problem; developing actionable strategies for curtailing it; and delivering a report to the General Assembly

64.

SPONSOR: Rep. Collins

HOUSE OF REPRESENTATIVES
148th GENERAL ASSEMBLY

HOUSE AMENDMENT NO. 1

TO

HOUSE CONCURRENT RESOLUTION NO. 40

1 AMEND House Concurrent Resolution No. 40 by inserting after line 16 the following and redesignating
2 accordingly.

3 (1) One member appointed by the Governor;

4

5

SYNOPSIS

This amendment adds one member to the task force to be appointed by the Governor.

SPONSOR: Rep. Collins

HOUSE OF REPRESENTATIVES
148th GENERAL ASSEMBLY

HOUSE AMENDMENT NO. 2

TO

HOUSE CONCURRENT RESOLUTION NO. 40

1 AMEND House Concurrent Resolution No. 40 on line 17 by deleting the phrase “The Delaware Controller
2 General” as it appears therein and inserting in lieu thereof the phrase “One representative from The Delaware Department
3 of Transportation (DelDOT), to be appointed by the Secretary of DelDOT”.

4 FURTHER AMEND House Concurrent Resolution No. 40 by inserting after line 32 the following:

5 (11) One representative of the Delaware State Police (DSP) to be appointed by the Colonel of the DSP.

6 FURTHER AMEND House Concurrent Resolution No. 40 by inserting after line 35 the following:

7 (15) The Task Force may appoint such other members of the public as the task force deems appropriate.

8 FURTHER AMEND House Concurrent Resolution No. 40 by deleting lines 46 through 49 in their entirety.

9 FURTHER AMEND House Concurrent Resolution No. 40 by deleting on lines 57 and 58 the phrase “Legislative
10 Council Division of Research, the Office of the Controller General, and the General Assembly” and inserting in lieu thereof
11 the phrase “Delaware Department of Transportation”.

12 FURTHER AMEND House Concurrent Resolution No. 40 by deleting line 60 in its entirety.

13 FURTHER AMEND House Concurrent Resolution No. 40 on line 62 by deleting the phrase “March 15, 2016” and
14 inserting in lieu thereof the phrase “September 30, 2016”.

15

16

SYNOPSIS

This Amendment to HCR No. 40 changes the composition of the Task Force by adding a rep from the State Police and DelDOT, and removing others. It also permits the task force to appoint interested members of the public. The Amendment also removes provisions that are already required by FOIA. The report date is extended from March 15, 2016 to September 30, 2016.

APPENDIX 2

The Delaware Anti-Dumping and Anti-Littering Task Force

Meeting Minutes

Thursday, June 9, 2016

DelDOT - Farmington/Felton Conference Room

800 Bay Road

Dover, DE 19903

Members Present:

Mark Alexander (CHAIR)	Director of Maintenance & Operations, DelDOT
Jennifer Cohan	Secretary, DelDOT
Kelly A. Williams	Governor Appointee, City of Wilmington
Marjorie Crofts	DNREC
Michael D. Parkowski	Delaware Solid Waste Authority
Curt Shockley	Department of Correction
Ralph (Dirk) Durstein III	Department of Justice
Dee Durham	DE Non-Profit Environmental Advocacy Community, Bring Your Own Bag
Pamela J. Bakerian	Delaware State Farm Bureau
Robert Tunnell III	Delaware Waste-Hauling Business, Blue Hen Disposal
Major Galen Purcell	Delaware State Police

Members Absent:

Julie Miro Wenger	DE Non-Profit Environmental Advocacy Community, DE Food Industry Council
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IF Desired Members:

Senator Karen Peterson	State Senator, Democratic Caucus
Representative Rich Collins	State Representative, Republican Caucus
Ashlee Delaney	Legislative Assistant, Senate Republican Caucus

DelDOT Support Staff:

Annie Cordo	Department of Justice, DelDOT
Geoff Sundstrom	Director of Community Relations, DelDOT
Evan Park	Legislative Liaison, DelDOT
Carol Cain	Environmental Scientist IV, DelDOT
Lesley Devine	Executive Assistant to the Secretary, DelDOT

Guests:

Tina Shockley	Department of Education
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- I. **Welcome** – The meeting was called to order at 11:05 a.m. by Secretary Cohan.
- II. **Introductions** – All members, staff and guests introduced themselves. Secretary Cohan formally designated Mark Alexander, DelDOT's Director of Maintenance & Operations as the Task Force Chairman.

III. Review of Goals for House Concurrent Resolution 40 – Representative Collins gave an overview on the concern and how this resolution came about since he initiated it. In short, Representative Collins explained his story about seeing trash every 3 inches as if it were a waste land on the roads in the weeds, trees, water etc. for miles. He was inspired to do a resolution and get every entity involved that had anything to do with trash and find out what we're doing and come up with a strategy going forward to make this better. The Governor signed a Proclamation of Keep Delaware Beautiful yesterday and this Task Force has to have a report to the General Assembly by September 30, so we are going to quickly come up with a bunch of recommendations, but Keep America Beautiful will be the group to carry this on for years to come.

Secretary Cohan stated that one of the things the resolution calls for is everything that the state is currently doing already to address littering and dumping. She proceeded to share that if trash is in the Right-of-way (ROW) it is DelDOT's responsibility to clear it. Mark Alexander mentioned that DelDOT also has the Adopt a Highway Program and the Sponsor a Highway Program which help keep the roads clean. Mark shared some trash pick-up numbers and stated that Department of Corrections picks up about 1/3 of it. Senator Peterson asked about the Adopt a Highway Program and Geoff Sundstrom explained the program and that DelDOT has a Coordinator in each of our Districts that work with the volunteers. Geoff stated that we have had some challenges with the groups in the Adopt a Highway Program to perform to the requirements which is to do three clean-ups a year. Representative Collins said that he thinks the Adopt a Highway Program is a great program, but we should work on enhancing it and possibly establish a reward program.

Evan Park asked if Mark Alexander would clarify our responsibility/jurisdiction because as the Legislative Liaison he receives calls from Legislators to pick up trash in areas we are not allowed to go. Mark stated that we are mainly along the roads we plow. We don't go into subdivisions. When we start mowing there is a pick-up of major trash items just prior to mowing. Some of our local roads are only getting cleaned up on a complaint basis because we have limited resources.

Kelly Williams said that even though they are designated as state roads the City of Wilmington cleans them up. They have been focusing on the corridors and they have been sending their own Public Works Staff to go pick-up those areas.

Representative Collins talked about trash flying out of trash trucks. The problem with these modern garbage trucks is if people don't put the papers in the bags then the wind catches the trash and blows it out of the truck.

Mike Parkowski said that everything comes to them at some point and time. Depending on how it comes in it can be tracked so, identifying the loads as they come in is easy. Delaware Solid Waste Authority has a couple different programs that deal with dumping probably more than litter. He went on to share some collection numbers and mentioned that there recycling locations have become targets for trash. Mike explained details about the different trash trucks and the challenges they experience.

Major Purcell with the Delaware State Police said that they take enforcement action for a leaky load or throwing something out the window.

Marjorie Crofts expressed that DNREC's enforcement staff is about to be severely depleted because of retirement and people who left so there is only eleven of them statewide. She talked about some of the cameras they have, but the challenges to actually pursue, especially if you don't have a license plate number. It is a hit or miss type thing.

Representative Collins shared a TV commercial he saw about a guy having a conversation with his wife at work and he was able to check his refrigerator from work through his phone to see what groceries were needed. He expressed that we could possibly use these cameras to enhance law enforcement. He has several roads in his district where he guarantees we'll get some pictures. Marjorie Crofts said that you still have to have someone review the tapes and pictures, so it is still staff intensive. Secretary Cohan suggested posting signs that say under surveillance or illegal dumping compared to just putting cameras up because to Majorie's point, nobody has the resources. Majorie said that the person who is going to dump is just going to go further down the road to another place where they don't have those signs. We need to change the behavior. Geoff Sundstrom said that he agrees with that and he really thinks we need to teach love of place. He lived in Hawaii and Florida and they were both very clean, but the school systems were constantly enforcing the beauty of the natural assets of the place and it's our job to protect it and care for it. Dee Durham said she agrees too and hopes this committee will do education, but also look at policy approaches because I hope we are a clearing house or a point for keeping track of all these statistics so we know how much is being collected. Think of all that is being collected and then all that is not being collected and getting out into our watersheds and ending up in our own food chain breaking down and killing marine life as well as domestic animals and impacting humans too.

Representative Collins suggested possibly doing some public shaming and placing cameras at a spot where there is constant clean-up efforts. If we install a camera and catch somebody, even if the judge wouldn't go along with a severe sentence, we should put them on the news. If we could get several major news stories out a year about people being really bad citizens then this might change some people's behavior.

Representative Collins asked what the proper protocol is if someone calls him for clean-up. Evan Park stated that if it is in the ROW then you can call him or the TMC and they will have someone dispatched to take care of it. Mark Alexander stated that every district has a hotline to all in complaints for our maintenance responsibilities including drainage ditching, and trash. Secretary Cohan said that we will include the phone numbers in your next quarterly report from DelDOT and make sure the aides have the numbers too.

Secretary Cohan stated that these are all great conversations, but she would like to bring us back to the Legislation because we have four main focus areas in the resolution as follows:

1. Quantify and define the residential and commercial aspects of Delaware's littering and illegal dumping issues.
2. Explore what actions the state is already employing to address these problems and evaluate their effectiveness
3. Identify and review effective anti-dumping and anti-littering strategies employed in other states.

4. Consider, but should probably be shall create an annual public awareness and education campaign to curtail littering and illegal dumping.

Mark Alexander reiterated that we need to focus on these items and come up with proposed improvements. He suggested to Geoff Sundstrom that maybe we can have double adoption of a road for Adopt a Highway, so clean up is six times a year instead of three. Geoff stated that he certainly thinks that this can be looked at, but he also expressed the challenges.

Senator Peterson stated that she thinks we need to also explore how this Task Force meshes with Keep America Beautiful efforts because they offer a lot of ideas so we don't want to operate in a vacuum without knowing what they can contribute.

Dee Durham stated that she attended the Keep America Beautiful annual conference in January and brought back lots of ideas from all over the country and can convey a little bit more about that at the next meeting. Additionally, she shared that the woman that heads the Keep Pennsylvania Beautiful chapter has offered to meet with us so we could schedule her for a future meeting.

Pam Bakerian said farm fields and back roads where there are no cameras are having dumping there, so she can reach out to the America Farm Bureaus, all of her counterparts, to see if there are different projects that the Farm Bureaus have done throughout the United States and bring it back to our next meeting as well.

Rep Collins asked everyone to pick up a handout on their way out and add in what you can think of so we can discuss these ideas and come up with some solutions.

Rep Collins asked Robert Tunnell III if he would be willing to give us a little report on efforts in the industry because there is a mention in the resolution and Rob agreed to give a report. Rep Collins mentioned that Waste Management wanted to be part of this committee and his understanding is that they wanted to donate some money to Keep Delaware Beautiful so he suggested that it would be a great idea. Rep Collins said that he will talk to Kim Gomes and if no one has an objection then he thinks we should have more than one commercial representative. We can appoint additional members as a committee. Mike Parkowski stated that Julie Miro Wenger is a member of the Task Force, Julie couldn't be here today, but Keep America Beautiful is housed under the Delaware Industry Food Council which she is the Executive Director. Mike believes any Keep America Beautiful information should come from Julie because that is under the Delaware Industry Food Council.

Kelly Williams said that the City of Wilmington cleans up at least 20,000 tons of dumping and littering every year in the city and she thinks that Dover and Newark are similar. Kelly said the state is not burdening this entire problem on its own. City of Wilmington has actually put a significant amount of effort and money into cleaning up the city, so you can't underestimate how much is happening on the local level as well as the counties with them not being at this meeting. Kelly stated that she will reach out to the League of Local Governments to get their numbers too.

Mark Alexander stated that he can reach out to the AASHTO Subcommittee on Maintenance Representative and see what is going on in other states.

Marjorie Crofts stated that she'll get more details for DNREC and their tonnage. Senator Peterson also requested if DNREC can clarify what their jurisdiction is and quantify what the clean-ups were for FY15 then that will pretty much tell us.

Mark Alexander requested that everyone give their thoughts and comments on the four main focus items and then we can compile them for our next meeting in July. Additionally, he requested suggestions on improvements.

- IV. **Discussion of Future Dates and Agenda Items** – It was agreed that monthly meetings would need to be scheduled. Rep Collins expressed possibly getting an extension, but after some discussion it might not be necessary. Mark stated that Lesley will put out some monthly dates, but we have to have quorum in order to hold the meeting. Rep Collins questioned the quorum, so Annie advised on quorum requirements as this is a public body under the Freedom of Information Act we have to follow everything set out in that law which requires us to have quorum in order to hold the meeting.
- V. **Public Comment** – No public comment was made.
- VI. **Adjourn** – Motion to adjourn the meeting was made. No one opposed. The meeting adjourned at 12:30 p.m.

Note: The handout the Task Force members received from Representative Collins is attached.

Minutes Prepared By: Lesley Devine, DelDOT

ATTACHMENT TO APPENDIX 2

Anti-Litter Task Force Meeting – June 9, 2016

Prevention

- Appearances on radio
- Social Media
- Donation of Billboards
- Public Service Announcements
- Develop a catch phrase such as, "Take Pride in Delaware"
- Place temporary "political campaign type" signs in areas just cleaned up requesting "respect" from the public
- Utilize DeIDOT resources to promote the mission to drivers
- Utilize DNREC advertising resources to promote the mission

Clean-up

- Enhance Adopt-a-Highway
- Establish firm protocol with DeIDOT and Corrections on requesting and prioritizing clean-up
- Establish a rewards program for those who voluntarily clean up
- Holding an annual banquet to recognize "heroes" of the environment

Enforcement

- Enhance the Sussex County Crime Stoppers program
- Use of sophisticated camera technology

Changing the Culture

- Governor will sign proclamation to begin Keep Delaware Beautiful
- Establish Keep Delaware Beautiful
- Having Keep Delaware Beautiful send letters requesting property owners clean their properties before enforcement action is taken
- Have Keep Delaware Beautiful work with businesses with the goal of limiting the use of single use plastic bags
- Have Keep Delaware Beautiful work with school systems to recruit children in advocating for the mission

APPENDIX 3

The Delaware Anti-Dumping and Anti-Littering Task Force

Meeting Minutes

Wednesday, July 6, 2016

DelDOT - Farmington/Felton Conference Room

800 Bay Road

Dover, DE 19903

Members Present:

Mark Alexander (CHAIR)	Director of Maintenance & Operations, DelDOT
Kelly A. Williams	Governor Appointee, City of Wilmington
Marjorie Crofts	DNREC
Curt Shockley	Department of Correction
Ralph (Dirk) Durstein III	Department of Justice
Dee Durham	DE Non-Profit Environmental Advocacy Community, Bring Your Own Bag
Pamela J. Bakerian	Delaware State Farm Bureau
Robert Tunnell III	Delaware Waste-Hauling Business, Blue Hen Disposal
Major Galen Purcell	Delaware State Police
Julie Miro Wenger	DE Non-Profit Environmental Advocacy Community, DE Food Industry Council

Members Absent:

Jennifer Cohan	Secretary, DelDOT
Michael D. Parkowski	Delaware Solid Waste Authority

IF Desired Members:

Senator Karen Peterson	State Senator, Democratic Caucus
Representative Rich Collins	State Representative, Republican Caucus
Ashlee Delaney	Legislative Assistant, Senate Republican Caucus
Michael Costello	Sussex County

DelDOT Support Staff:

Annie Cordo	Department of Justice, DelDOT
Geoff Sundstrom	Director of Community Relations, DelDOT
Evan Park	Legislative Liaison, DelDOT
Jim Westhoff	Community Relations Officer, DelDOT
Lesley Devine	Executive Assistant to the Secretary, DelDOT

Guests:

Randall Chase	Associated Press
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- I. **Welcome** – The meeting was called to order at 11:09 a.m. by Task Force Chairman Mark Alexander.
- II. **Introductions** – All members, staff and guests introduced themselves.

III. Voting – Senator Peterson made a motion to add Tina Shockley, Department of Education, to the Anti-Dumping and Anti-Littering Task Force and Representative Collins seconded. All of the task force members were in favor of the motion, no council members were opposed, the motion passed.

IV. Meeting Minutes Review - Senator Peterson made a motion to approve the June 9, meeting minutes and Kurt Shockley seconded the motion. No one opposed and the minutes were approved without changes.

V. Old Business

1. Robert Tunnell III gave a presentation on Delaware Waste Haulers and efforts to control litter. He went over the various types of trucks and litter containment.

Dirk Durstein III asked if there's a way the industry can monitor the overflow of trash/recyclable bins for commercial and residential and possibly increase their pick-ups, especially holiday weekends. Mr. Tunnell stated that a lot of this is the customer and they might need more containers or a different method for pick-up. The drivers take notes on their route sheet that lists all of their customers and especially if there are reoccurring challenges then the office will call to discuss it with the customer. For example, if someone continues to put bags of trash outside their cans, but continue to pay for a small dumpster then they'll call to increase their dumpster size.

Julie Miro Wenger asked about customer education and how often it's conveyed. Mr. Tunnell stated that every year they send out their own 2 page flyer with the do's and don'ts, but it is a specialized thing from company to company.

Mark Alexander asked if Robert had any recommendations to improve the process. Mr. Tunnell stated that from strictly a holder's perspective, but obviously it messes up the Material Recovery Facilities (MRFs), bagging recyclables and banning plastic bags from grocery stores.

Evan Park asked what is the appropriate way to contain recyclables since plastic bags are the worst. Mr. Tunnell stated that it would be interesting for someone from the MRF in Wilmington to go through what happens when recycling. Plastic bags get caught in the machinery and we have to cut them out and they are also a good source of static electricity. The plastic bags get very dirty through the process and then once they're dirty there is nothing you can do with them. Marjorie Crofts thinks it would be a good idea to meet at DSWA and take a tour since they have recycling next door too so we could do both. There was some further discussion about the trucks and recycling efforts.

2. Chairman, Mark Alexander asked if there were any more updates and Major Galen Purcell distributed and discussed a handout on enforcement numbers statewide for dumping and littering for the past two years.

Representative Collins stated that we really need to investigate the high tech cameras we have today because he feels very confident that we could put them at spots where people are dumping and fine them or even get them on the news. Kelly Williams said that in the City of

Wilmington they've asked the business owners who are impacted by the dumping to install the camera and they are happy to do so because they want to find the illegal dumpers as well. If there is a business owner that keeps getting hit over and over we'll ask the business owner "we don't want to fine you because we know this is not your mess in front of your business, why don't you put up a camera?" and then the next day they come in and can roll back the tape since it is over a 24 hour period. It's worked out to be a really good solution because the city doesn't bear the cost of the cameras and the business owner is invested in protecting his/her property.

Representative Collins shared a story about a secondhand store receiving a \$250 monthly trash bill because people are placing garbage near there drop-box so they have to pay to have it hauled off. Represented Collins stated that he thinks it's behavior and unemployed people that can't afford trash pick-up so they are getting rid of it by illegal means.

Mark Alexander stated that DelDOT is getting a mix of both dumping and trash along the road complaints. Dumping is an issue, but there are numerous complaints for trash and he could keep his staff and all the inmates busy all day, but they wouldn't get anything else done.

Marjorie Crofts said that the Environmental Crimes Unit in DNREC has a series of cameras, but there is a high demand for them. They will go out where there have been repeated issues and requests. It's hard to actually get enough to go after somebody, but if they get a picture of their face then they will post it on their website asking if anyone knows them.

Senator Peterson asked if DelDOT ever recovered there clean-up costs for the dumping on Upper Pike Creek Road. Mark Alexander replied that he knows DelDOT sent the property owner a bill for the clean-up costs. Senator Peterson stated that last she heard he ignored it. Annie Cordo replied that so far he has ignored every demand and letter DelDOT sent. Senator Peterson asked what we'll do now. Annie Cordo responded that the Department has to determine if they want to bring a suit against him. Senator Peterson asked if that is likely because if you can dump 50 truck-loads of concrete on a public road and walk away and have DelDOT come behind you and clean it up then we are spinning our wheels here. This is why people do it because nothing happens. A few more questions were asked about the responsibility and who is responsible from DelDOT, DNREC, Wetlands, State Police and/or Feds. Dirk Durstein III stated that he will work with Annie Cordo and follow-up on this to see what if any action we can take.

Julie Miro Wenger stated that as a group maybe it would make sense that one of the first things we look at is the litter and dumping code that is on the books today. Then we can figure out if there are some missed steps and come up with some recommendations that could make our language stronger so we are able to enforce with more heat.

Julie Miro Wenger proceeded to give an update on Keep Delaware Beautiful. The Governor signed a Proclamation to Keep Delaware Beautiful Chapter. Delaware Food Industry is taking the lead on creating the chapter and the Delaware Solid Waste Authority has committed \$40,000 annually to get that up and off the ground. Bylaws were drafted and it will be a pay to play organization. They are anticipating 7-12 board members. Each board

positions will be a paid board position that will fund the organization. We are looking for haulers to be a part of it. A number of companies have already asked to be a part of it. They will have four honorary positions and they are hoping that Senator Peterson and Representative Collins will take a seat that way. Keep America Beautiful is going to come down and do a six hour strategic planning session in the fall. This will determine what the path forward is for the local statewide chapter as to what the initiatives they are going to choose to take on. It seems to dovetail well with this litter task force as to what they were hoping to accomplish so then we would know what the on-going purpose of Keep Delaware Beautiful would be. They are really all about education starting with kids and working in neighborhoods and volunteer based groups. We are hopeful that the chapter will be fully functioning and up and running before the end of this calendar year knowing that the strategic planning will take place around October 27, or the first week in November.

Representative Collins asked Dirk Durstein III if he could forward all of the code sections that are applicable for litter and dumping to the Task Force. Mr. Durstein agreed and said that what you will find is that it is patchwork with different state agencies involved from counties, municipalities and that can be a good thing or a bad thing depending on how you look at it because there are a lot of different entities that have enforcement authority. It's a matter of priorities and it comes down to staffing and resources. DNREC is going to focus on pollution that has potential health consequences and serious consequences to the environment and other things of that nature. In the waste area it's going to be hazardous waste that is going to get a lot of attention in huge facilities, but that doesn't mean that the individual acts on the roadways are the more egregious things like on Pike Creek Road can't be looked at. State police is going to go after drug dealers and murderers more than litterers. I am not sure what the answer is, but it seems like there should be better coordination of the entities that have responsibilities as far as who does what. Everybody probably should have a piece of it, but that is really for the legislature to decide.

Marjorie Crofts stated that she will look into the number of dumping complaints DNREC had in a year and what percent they were able to find a responsible party. Senator Peterson requested that of all the complaints DNREC is able to identify someone can they also let us know what penalties were assessed. Marjorie Crofts replied ok. Senator Peterson stated that she remembers at the refinery hundreds of thousands of dollars' worth of penalties were to be assessed every year and not one cent was every collected, but it looked good because on paper we were billing a million dollars. We never saw any of the money. Marjorie Crofts replied that we saw some of the money and Senator Peterson said not much.

There was some more discussion about jurisdiction responsibilities and Delaware Code as it pertains to fines and that maybe they need to be looked at further.

VI. New Business

1. The Chairman distributed a handout listing the items and questions that the Task Force are charged to address. He requested that each member answer the questions and submit feedback to him.
2. Representative Collins discussed his handout from the June 9, meeting.

VII. **Discussion of Future Dates and Agenda Items** – Representative Collins would like The Department of Education to advise the Task Force on what they would have to do to get schools to put out literature or whatever they can do. It would probably come through Keep Delaware Beautiful, but let them make a presentation on what their capabilities might be or what type of road block we could have. Additionally, Representative Collins would like Mike Costello to give a presentation on what they are doing with the Crime Stoppers Program.

There was further discussion about extending the timeframe for this Task Force because only two more meetings remain, but it might require creating a new Resolution in January or possibly submitting an interim report.

The Chairman mentioned that he needs everyone's responses to his handout and that he will draft a report to review.

Senator Peterson asked if we can have a brief presentation by Keep America Beautiful folks on the culture change piece of it. Is it going to be possible to get that because a lot of what we are talking about is going to tie right into that? Julie Miro Wenger stated that it is entirely possible, but the issue is that we won't know how it's going to be created here in Delaware until we do the Strategic Planning Day. Keep America Beautiful offers an off the shelf presentation that we could do tomorrow, but we will not know how the Keep Delaware Beautiful Chapter looks until they have their six hour Strategic Planning meeting on October 28, and that was there earliest date.

Representative Collins reiterated that he thinks the Department of Education should be involved if they are going to play a major part over the years and we should get them engaged. Additionally, he would like to hear from the farm community. Pam Bakerian replied that she is working on it.

Julie Miro Wenger asked if our next meeting on August 1, is final because she's on vacation and a couple other members will not be able to attend. After some discussion it was agreed that a couple more dates would be e-mailed to see if there is a better date in August to have our next meeting.

VIII. **Public Comment** – No public comment was made.

IX. **Adjourn** – Motion to adjourn the meeting was made by Senator Peterson, seconded by Representative Collins. No one opposed. The meeting adjourned at 2:44 p.m.

Attachments: Robert Tunnell's presentation, Major Purcell's handout, and Chairman's handout

Minutes Prepared By: Lesley Devine, DelDOT

ATTACHMENT 1 TO APPENDIX 3

Statute	Statute Desc	Fines Assessed 7/1/14-6/30/15	Fines Suspended 7/1/14-6/30/15	# of arrest/charges	Fines Assessed 7/1/15-6/27/16	Fines Suspended 7/1/15-6/27/16	# of arrest/charges
DE161604000M18	Unlawful Dumping or Littering	\$150.00	\$25.00	18	\$175.00	\$50.00	13
DE170518000aM	THROW DEPOSIT PLACE TRASH RUBBISH OR GARBAGE WITHIN 100 FEET OF PUBLIC HIGHWAY	\$0.00	\$0.00	0	\$0.00	\$0.00	0
DE161606000M	Unlawful to Throw, Deposit, Drop or Dump Litter from Vehicle, Boat, Plane, etc	\$50.00	\$0.00	2	\$0.00	\$0.00	4
DE214189000aM	Littering Upon a Highway or adjacent property	\$700.00	\$115.00	29	\$1,175.00	\$0.00	22
DE214189000bM	DROP/REMOVE DESTRUCTIVE MATERIAL FROM ROAD	\$2,235.00	\$100.00	80	\$2,475.00	\$115.00	62
DE214189000cM	By throwing/deposit any goods, merchandise, bundles of litter upon hwy	\$2,630.00	\$101.00	59	\$2,300.00	\$0.00	48
DE214189000dM	Remove Glass, Etc from Wrecked or Damaged Motor Vehicle	\$115.00	\$0.00	1	\$0.00	\$0.00	2
DE214189000eM	LEAVE, DEPOSIT OR DISPOSE TRASH IN QUANTITY TO EXCEED 5 LBS. OR 1 CUBIC FOOT	\$460.00	\$0.00	1	\$0.00	\$0.00	1
990739008251VD	Dumping / Littering	\$150.00	\$0.00	1	\$350.00	\$0.00	12
990739008252VD	Dumping / Illegal to Bring Trash, Refuse, etc into Division Receptacles	\$0.00	\$0.00	0	\$0.00	\$0.00	0
990739008253VD	Dumping / Deposit Materials, Structure, Debris on Division Lands or Waters	\$0.00	\$0.00	0	\$0.00	\$0.00	0
990304050510M	Dump/depositing of rubbish/trash/paint/household items/debris are prohibited	\$0.00	\$0.00	0	\$0.00	\$0.00	0
990304050512M	Shall be unlawful to litter on State Forest lands	\$0.00	\$0.00	0	\$1.00	\$0.00	0
DE076025000bM	Cause or contribute to the disposal or discharge of solid waste materials	\$4,200.00	\$50.00	18	\$4,000.00	\$0.00	18
DE076025000dM	MV used during or in aid of the disposal or discharge of solid waste	\$0.00	\$0.00	4	\$1,050.00	\$300.00	4
DE076025000eM	Causes/cont. to the disp. or disc. of SW on any surface or ground water	\$100.00	\$0.00	1	\$0.00	\$0.00	0
DE214371000aV	Vehicle Constructed/Loaded to Prevent Contents from Dropping Sifting, Leaking	\$570.00	\$0.00	74	\$748.75	\$0.00	101
Totals		\$11,360.00	\$391.00	288	\$12,274.75	\$465.00	287

ATTACHMENT 2 TO APPENDIX 3

BE IT FURTHER RESOLVED the task force shall quantify and define the residential and commercial aspects of Delaware's littering and illegal dumping issues.

- What time frames work best for those reporting? FY would be most current or do we use CY? DeIDOT can provide either. We provide Trash/AAH/SAH along with Tires and appliances.
- DNREC numbers available form Adopt a Beach and Adopt a Wetland.
- Do the respective Counties have any numbers to quantify the amount of littering and dumping they deal with annually? FY or CY?
- Do the municipalities have any numbers to quantify the amount of littering and dumping they deal with annually? FY or CY. Kelly Williams said the City of Wilmington cleans up at least 20,000 tns. of dumping and littering every year and thinks Dover and Newark are similar. Kelly was going to reach out to the League of Local Governments.
- Anyone else should be included to help quantify the issue? (Bring Your own Bag, Delaware State Farm Bureau, etc...)
- Definition of the residential and commercial aspects of Delaware's littering and illegal dumping issues. The definition itself seems to be pretty well spelled out in the Resolution. Can use that as the initial definition. Comments??

BE IT FURTHER RESOLVED the task force shall explore what actions the state is already employing to address these problems and evaluate their effectiveness.

- DeIDOT mainly utilizes staff, inmates, Adopt a Highway, Sponsor a Highway, occasional community cleanup.
- DNREC utilizes Adopt a Beach, Adopt a Wetland, dump site investigations, anything else they want to include?
- Counties??
- Municipalities??
- Other Groups??

- What is being done from a Public Awareness and education campaign from any agencies? All agencies and groups will need to comment. Need to hear about Keep America Beautiful and Keep Delaware Beautiful.
- Regarding evaluating their effectiveness, each agency will have to provide comments on their respective efforts and their effectiveness.

BE IT FURTHER RESOLVED that this task force shall identify and review effective anti-dumping and anti-littering strategies employed in other states.

- DelDOT is touching base with the AASHTO Subcommittee on Maintenance and asking other states about their strategies.
- DNREC, Municipalities, Counties, will need to do something similar and advise of effective measures in other states with their counterparts.
- Public Awareness and Education Campaign comments.

BE IT FURTHER RESOLVED that this task force shall consider creating an annual public awareness and education campaign to curtail littering and illegal dumping.

- We need to establish what currently exists. At that point we can discuss need to “create” or “further support” or both if needed. Need comments to “consider”.

BE IT FURTHER RESOLVED that this task force may, as it deems appropriate, hold one or more hearings to gather input and solicit ideas from the public.

- Need to discuss and consider at Task Force Meeting and make a recommendation.

BE IT FURTHER RESOLVED that the task force shall compile a report including the following:

The scope and nature of littering and illegal dumping in Delaware;

- The first bullet addresses this requirement. Will use that response to address this requirement.

Actionable recommendations for reducing littering and illegal dumping in Delaware;

- Need any recommendations to improve “current” actions already being utilized throughout the State. That will have to come from the respective agencies.
- Will need to look “effective” strategies used in other States and see if currently being used in Delaware. If not being used in Delaware can consider for implementation.
- Any Public Awareness and Educational Campaign suggestions.
- Any other suggestions from the Committee.
- The common recommendations I hear (in no particular order) are:
 1. Use more DelDOT crews.
 2. Use more inmates.
 3. More fining and larger fines by the respective police force for both littering and dumping.
 4. Better Public Education. Need to change the mindset. Pride in community.
 5. More volunteers for the volunteer clean- up programs.
 6. More sponsors for Sponsor a Highway Program.
 7. More dumping investigations to video and find guilty party.
 8. Need to hold commercial properties to a minimal clean up standard to minimize parking lot trash blow off. (??)
 9. Other suggestions.

More problematic is how do you make some of these occur.

A strategy for coordinating the efforts of state agencies combating littering and illegal dumping;

- We need to comment as to where coordination would be critical and helpful in addressing this issue.
- Once we identify where coordination is critical we can discuss a strategy.

The funding needed to implement these strategies and where such funds may be derived; and Any legislative action that would be needed to implement these strategies.

- As we better identify the strategies we can further discuss funding needed, sources of funding, and requisite legislation.

ATTACHMENT 3 TO APPENDIX 3

Delaware Waste Haulers Efforts to Control Litter

DELAWARE ANTI-DUMPING AND ANTI-LITTERING TASK FORCE
JULY 6, 2016

Sources of Litter

Carts tipping over before collection
Litter blowing out of moving vehicles



A large storm blew this container over. Customers need to be educated on how to place containers awaiting collection



Light weight materials like plastic bags and paper are the most likely items to blow out of moving vehicles

Delaware Code

Title 21 § 4371 Construction of vehicles to prevent escape of contents; penalty.

(a) No vehicle shall be driven or moved on any highway unless it is so constructed or loaded as to prevent its contents from dropping, sifting, leaking or otherwise escaping therefrom.

(b) Whoever violates subsection (a) of this section shall for the first offense be fined not less than \$10 nor more than \$28.75. For each subsequent like offense, the person shall be fined not less than \$28.75 nor more than \$100.

Title 16 § 1604 Unlawful activities.

It shall be unlawful for any person or persons to dump, deposit, throw or leave, or cause or permit the dumping, depositing, placing, throwing or leaving of litter on any public or private property of this State, or any waters in this State, unless:

- [1] Such property is designated by the State or by any of its agencies or political subdivisions for the disposal of trash or litter, and such person is authorized by the proper public authority to use such property for such purpose;
- [2] Such litter is placed in a litter receptacle or container installed on such property; and
- [3] Such person is the owner or tenant in lawful possession of such property or has first obtained consent of the owner or tenant in lawful possession, or unless the act is done under the personal direction of said owner or tenant, all in a manner consistent with the public welfare.

Materials Collected

- Residential Trash
- Residential Recycling
- Commercial Trash
- Commercial Waste
- Commercial Recycling
- Construction & Demolition
- Yard Waste
- Special Waste—Tires, Appliances, Medical, Hazardous, Liquid, etc.



Collection Trucks

- Rear Load
- Side Load
- Automated Side Load
- Front Load
- Roll Off



Roll Off Trucks

Mesh tarps cover the top of containers when on the truck—Over the past 15 years the industry has invested in auto tarping mechanisms instead of manually tarping each load. This has increased the effectiveness of the tarps and reduced litter falling from the trucks.



Automated Side Load Trucks

Automated trucks use a mechanical arm to pickup and dump the container in the truck. These trucks are operated by one driver, increasing efficiency and reducing workers comp claims.



Automated Side Load Trucks

Wind deflectors can be added to automated trucks to reduce debris from leaving the truck during collection. The deflectors are engineered to create a downward pressure on material within the hopper.

Many automated trucks have cameras installed in the hopper so the driver can view the current conditions and take corrective action if needed.



Front End Trucks

