

Introduced by: Mayor  
Date: 04/17/12  
Hearing: 05/15/12  
Action: Enacted  
Vote: 7 Yes, 0 No, 2 Absent

**KENAI PENINSULA BOROUGH  
ORDINANCE 2012-12**

**AN ORDINANCE REDUCING DISPOSAL FEES FOR AIMM TECHNOLOGIES, INC.  
FOR UP TO 3,000 TONS OF SPECIAL WASTE**

- WHEREAS,** Ordinance 2011-32(Sub) approved a fee schedule for the Kenai Peninsula Borough; and
- WHEREAS,** the fee schedule adopted by Ordinance 2011-32(Sub) increased disposal fees for special waste from \$20.00 per ton to \$85.00 per ton; and
- WHEREAS,** AIMM Technologies, Inc. (AIMM) provides services for the disposal of non-hazardous drill cuttings for smaller drilling companies; and
- WHEREAS,** in 2011 AIMM processed and disposed of approximately 28,000 tons of bulk non-hazardous drill cuttings that generated revenue to the borough of approximately \$568,000; and
- WHEREAS,** the bulk cuttings were utilized by the borough landfill as an alternative daily and intermediate cover material which enabled the borough to avoid the additional costs of onsite transport of cover material; and
- WHEREAS,** AIMM was in the midst of performing a contract in 2011 when the new disposal rates were approved; and
- WHEREAS,** when AIMM initially entered the contract for disposal they were not aware that fee changes were being considered; and
- WHEREAS,** AIMM was able to process and dispose of all bulk drill cuttings received through the end of December 2011; and
- WHEREAS,** an additional 3,000 tons of processed cuttings were generated during the first weeks of 2012; and
- WHEREAS,** AIMM will suffer a significant financial loss if it is required to dispose of the 3,000 tons of special waste at the 2012 rates; and
- WHEREAS,** by reducing the special waste disposal fee from \$85.00 per ton to \$52.00 per ton AIMM will be able to complete their contract and will not realize a profit or a loss on the disposal of the final 3,000 tons of material; and

**WHEREAS,** KPB 1.26.030(A) allows the mayor to only grant exemptions and waivers of fees for local, state, and federal government projects;

**NOW, THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH:**

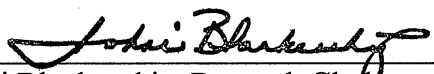
**SECTION 1.** The assembly hereby reduces the special waste disposal fee from \$85.00 per ton to \$52.00 per ton for 3,000 tons of special waste to be disposed of by AIMM Technologies, Inc. This disposal shall be completed no later than December 31, 2012.

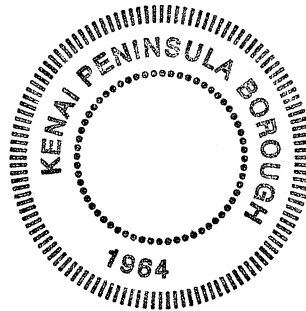
**SECTION 2.** That this ordinance takes effect immediately upon its enactment.

**ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 15TH DAY OF MAY, 2012.**

  
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Gary Knopp, Assembly President

ATTEST:

  
\_\_\_\_\_  
Johni Blankenship, Borough Clerk



Yes: Haggerty, Johnson, McClure, Murphy, Pierce, Tauriainen, Knopp  
No: None  
Absent: Smalley, Smith