

**GOVERNMENT OF THE VIRGIN ISLANDS
OF THE UNITED STATES**

Public Services Commission

IN RE:)	Order No. <u>15</u> /2022
)	Docket No. 650
APPLICATION OF VIRGIN ISLANDS WASTE)	
MANAGEMENT AUTHORITY FOR SOLID)	
WASTE TIPPING FEES)	
_____)	

Order

WHEREAS, on October 9, 2015, the Virgin Islands Waste Management Authority’s (hereinafter “Authority” or “WMA”) submitted an Application for Solid Waste Tipping Fees to the Virgin Islands Public Services Commission (hereinafter “PSC” or “Commission”); and

WHEREAS, on April 20, 2016, after holding public hearings, receiving testimony from the public and PSC’s consultant, and after the presentation of the report of the Hearing Examiner, the PSC approved the recommendations and rates for various forms of solid waste, the PSC accepted the recommendations of the Hearing Examiner and approved the tipping fees (*Order No. 50/2016*); and

WHEREAS, on June 14, 2017, WMA’s Executive Director, Mr. Roger Merritt submitted a request acknowledging that WMA was unable to accurately measure waste by weight and sought approval to temporarily collect the previously approved tipping fees using volume to waste conversion factors (as provided by the U.S. Environmental Protection Agency) for the period from July 1, 2017, to December 31, 2017, until WMA’s infrastructure is in place to assess the fees via weight; and

WHEREAS, on June 27, 2017, the Commission approved WMA’s Application for Solid Waste Tipping Fees, WMA’s request to bill under the proposed methodology of volume to waste, for the islands of St. Thomas and St. John for the period stated above, and that the previously approved weight methodology be implemented on the island of St. Croix for a period not to exceed six (6) months (*Order No. 62/2017*); and

WHEREAS, the Virgin Islands suffered the impacts of Hurricanes Irma and Maria in September 2017, which effectively shut down normal governmental operations for an extended period and which imposed additional burdens on the Waste Management Authority; and

WHEREAS, on December 4, 2020, WMA submitted an updated Application for Solid Waste Tipping Fees, designed to recover costs of managing a waste processing and disposal facility and to distribute that burden among users of the facility, including the use of a volume

methodology for fee determination and a schedule for the phasing in of Solid Waste Disposal Fees; and

WHEREAS, on June 21, 2021, the Commission held a Regular Meeting via Zoom video conferencing system that was hosted at the PSC St. Thomas office located at No. 1003 Estate Ross Suite 4, Barbel Plaza and received testimony from its technical consultant, Avery Williams and WMA; and

WHEREAS, at the June 21, 2021, meeting the Commission voted to approve WMA's Application for Solid Waste Tipping Fees with the volume methodology for determination of disposal fees and the delayed implementation of fees for 60 days for the purposes of public education and media announcements; and

WHEREAS, on November 12, 2021, the Commission held a Regular Meeting via Zoom video conferencing system that was hosted at the PSC St. Thomas office located at No. 1003 Estate Ross Suite 4, Barbel Plaza; and

WHEREAS, the Commission received testimony from WMA's Executive Director, Roger Merritt; and

WHEREAS, upon review and deliberation the Commission Ordered WMA to implement the Solid Waste Tipping Fees on or before January 1, 2022; and

NOW THEREFORE, the Commission ORDERS that:

1. WMA implement the tipping fees on or before January 1, 2022.

So Ordered.

For the Commission,



David Hughes, Chair

Date: **March 16, 2022**