

Minutes – Regular Meeting  
Solid Waste Advisory Board  
June 8, 2011  
**Approved September 14, 2011**

Attendance: Jan Sassaman, Linda Bowerman, Remus Smith, Steve Yuhasz and Stan Cheren

Staff: Gayle Wilson, Michael Talbert, Paul Spire, Cody Marshall, Harold Haywood and Wanda McCain

Audience: Bill Kaiser

1. **Opening and Welcome** Sassaman states that I'd like to recognize Bill Kaiser, Chair of the Orange County Commission on the Environment who is attending tonight.

2. **Adoption of Minutes from May 11, SWAB meeting** Smith moves to accept. Bowerman seconds.

Sassaman states that the minutes should reflect that the recording system went down [during the meeting] and the minutes are a collective wisdom of those that were taking notes.

Passes unanimously.

3. **Public Comment Period** – No comments

4. **Fiscal 2011-12 Solid Waste Department Budget** Wilson states that to summarize some of the key components of the budget it [the budget] has increased from last year. A million dollars is related to the movement of money -- \$750,000 from the reserve fund in addition to revenue generated from the new \$5 surcharge on the tip fee. That makes almost a \$1 million increase alone. There are desperately needed capital items in the budget. Some debt service was shifted for some equipment that was purchased for Sanitation in the past from the general fund to the enterprise fund that is almost \$250,000. That does not mean there are a lot of new programs or expansions, but there are some.

There are four divisions in the budget. Environmental Support is sort of the administrative component that contains enforcement, education and outreach and we have recently moved the maintenance service to this division. There has been additional funding for education and outreach related to a change in convenience center hours and the proposed implementation of single-stream recycling. There is also a request to replace an old truck.

In the recycling division we have assumed single stream in the budget but there is no funding because we are not proposing it be implemented until July 2012. Any carts that are purchased, if they are not included as part of the collection contract the debt service, wouldn't be due until the next budget. We are proposing collection of

Minutes – Regular Meeting  
Solid Waste Advisory Board  
June 8, 2011

**Approved September 14, 2011**

recycling from the Chapel Hill-Carrboro schools. It will generate a small amount of income for the enterprise fund and provide some cost savings for the school system. Also with a modest amount of additional funding that we would initiate a pilot food waste program in the school systems. There are some significant capital needs. We have to replace a road tractor. The lease expires this October. That truck is used to pull recycling materials to market. We are proposing to replace an old baler that is no longer serviceable. There is also a pickup and van in the budget.

In the landfill division again we are proposing moving the maintenance function from the landfill division to environmental support. There is a \$5 increase proposed in the solid waste tip fee that would be allocated to Rogers Rd. community benefits along with appropriations from reserves of \$750,000. As far as capital goes we are requesting the replacement of a wheel loader, two pickup trucks and some long needed pavement and drainage repair.

In the sanitation division there is a good deal of activity proposed. Due to some previous conversations with the BOCC they have suggested that we expand some hours. In the recommended budget there is an expansion of the two proposed district sites – Eubanks and Walnut Grove to add back Thursday and Sunday. We are proposing to restore two days to Bradshaw – Monday and Friday. We have proposed to initiate site improvements consistent with our conversation with the BOCC on Walnut Grove with debt service assumed with the first year of improvements. A new annual household fee is proposed similar to the 3R fee -- \$2 multifamily units, \$5 urban residential units and \$10 rural residential units. It is a tired system based on usage. It is expected to bring in about \$320,000 which would pay for the expanded hours and the improvements to Walnut Grove. There are some capital items suggested – five roll-offs containers, a hook-lift truck replacement and a pickup truck.

The BOCC has a couple more work sessions before making a final decision on the budget on June 21<sup>st</sup>. In our August meeting I will brief you on what was adopted in regards to the solid waste budget.

Smith asks what is included under education.

Pollock replies that it includes our education and outreach person, the printing, advertising and postage budget. The education is mostly directed at recycling but also solid waste issues. We will start single stream recycling this year that will lead to increased advertising and change in urban curbside from bins to roll carts. There will be two solid waste newsletters.

Yuhasz asks regarding the food waste collection from the schools, will that be from both the Chapel Hill – Carrboro and the Orange County school system.

Minutes – Regular Meeting  
Solid Waste Advisory Board  
June 8, 2011

**Approved September 14, 2011**

Wilson replies we hope so. There have been recent conversations with both. If the budget is approved we will initiate pilot programs with both school systems as soon as possible.

Sassaman asks what is the staffing impact of that.

Wilson replies other than the time spent getting the program set up and monitoring it, it is not very much.

Marshall states that what we'll need is serious commitment from the schools.

Sassaman asks do you know that they are committed.

Marshall states that it seems that Chapel Hill – Carrboro is already familiar with food waste collection. They have a person that understands what needs to be thrown out and the type of commitment that it will take on their end. It will be a little bit slower to get Orange County to understand.

Yuhasz asks do you anticipate that the school food waste collection would be under the same contract as the current restaurant food waste contract.

Marshall replies yes.

Yuhasz states that there seemed to have been questions from one of the commissioners about that contract.

Wilson states that the questions have always been in support about doing more rather than criticism. But there have been questions about why we didn't take this program in house that we have answered.

Yuhasz asks where is the pavement and drainage repair to be done.

Spire replies it is on the north side of the landfill. As you pull into the landfill the pavement has started to degrade. We are looking to extend the area in front of the white goods, tires and metal goods area to keep the dust down and also around the area of the maintenance shop and parking area.

Yuhasz asks how many part-time employees are you going to hire in order to staff the convenience centers on Sundays.

Wilson states that the manager's proposal is to hire (2) two part-time permanent employees.

**Approved September 14, 2011**

Sassaman asks with the new annual household fee where there are rural house that have curbside recycling will they be charged \$10 or \$5.

Wilson states that they will be charged \$10 because they still could take their garbage there and would still be able for recyclable materials not included in the curbside program and the other functions of the convenience centers.

Yuhasz states that there has been discussion about differentiating between rural residents that have garbage pickup and those who don't. I think the decision was that it would be hard to track and prove.

Wilson concurs. And there are still limitations on what contract garbage collectors will take. They won't take construction debris or old sofas so those folks will still use the centers.

Pollock notes that communities that charge higher convenience center fees like \$130 or \$140 per household per year might consider tracking those who have garbage service and those who don't to create a differential fee. It's hardly worthwhile at \$10 per household.

5. **Solid Waste Management Long-term Options/Landfill Closure** Sassaman states that we have talked about this a lot over last couple of years. Unless it has changed, there is still an open charge to us to advise the BOCC on alternative disposal of solid waste once the landfill closes.

Yuhasz states that the SWAB did forward a comment on that recently. The charge would be to continue to monitor the situation and advise if there are new technologies or opportunities. I don't think that it is reasonable for the Board [of County Commissioners] to expect anything substantially different than what we've been told [by SWAB] before.

Sassaman states that to put it in perspective I'm going to pass a flow chart around as a start. I have tried to dichotomize the choices as in biological classification. In looking at the flow chart the first choice is do we keep the solid waste in county or do we ship it out of county and that leads to some other options. If we decide to retain it in county there are two options. We can go with the tried and true, relatively inexpensive, state of the art landfilling it or some form of emerging technology including incinerator, plasma torch, bioconversion, refuse derived fuel, etc. If we go with a landfill there are two choices – a public landfill or a private landfill. If we go with an emerging technology most of us are convinced that the economies of scale are such that we need a partnership with others outside of Orange County. Again there are two choices – private or public. Those are in-county options.

Minutes – Regular Meeting  
Solid Waste Advisory Board  
June 8, 2011

**Approved September 14, 2011**

If we export it out of the county there are two choices -- get rid of it and forget about it or haul it to a regional partnership. With a regional partnership there are two choices – landfill or an emerging technology. Going to Durham is kind of like a regional partnership, but from there, it's just going to be gone.

Bowerman asks is an emerging technology a real choice that is actually available right now.

Sassaman states that there are some incinerators. It's not economical. It's not reasonable but it's there.

Pollock asks Bowerman are you making a distinction between the established technology of incineration and emerging technologies.

Bowerman states that it doesn't matter if it's large and has to go out of County. How would it work for a private company to have a landfill in the county?

Sassaman states that it would probably be easier for Waste Management to site a landfill in Orange County than the BOCC because it is not necessarily a political decision. I'm not looking at whether it will work or not I'm looking at the alternatives.

Wilson states that whether it is public or private it will be a political decision because State law requires the County Commissioners to grant a franchise or approval for the siting of a facility from a private company.

Pollock states that there is a continuum from where we are, completely publicly owned, and publicly operated. It could be publicly owned and privately operated or privately owned and privately operated and there could be some public aspect to that as well. Underneath the notion of 'private' there are nuances.

Wilson states these are all theoretical.

Yuhasz states that even if we could site a landfill in Orange County it would be more along the lines of an export landfill in that it would have to be in a remote part of the county, which would mean that it would [cost] be as much [to] transport from the center of generation to an Orange County landfill as would it be to the Durham County transfer station. In effect we would need to have a landfill which still requires a transfer station somewhere near the center of generation. That would be a hybrid.

If there were an in-county emerging technology solution it would have to be a small scale efficient solution. We are nowhere near a small scale efficient solution. We are certainly not going to import garbage into Orange County in order to make up the volume necessary.

Minutes – Regular Meeting  
Solid Waste Advisory Board  
June 8, 2011  
**Approved September 14, 2011**

Smith states that in my opinion we will not have a landfill in Orange County. In my limited travelling going through the county south and north of us there are hundreds of acres of "scrub oak" land. That is where a landfill could be. We will export our waste.

Bowerman states that if an emerging technology was a real choice and it made sense people would be happy to do it. It's not so much that no one would choose that we aren't allowed that choice at this level yet.

Pollock states that there is the item of money. As things stand now even the best of technologies it is still well north of \$70 or \$80 per ton for good quality incinerators. If we are constrained by money, landfills still remain a cheap alternative. Money will remain a large factor even with a good quality incinerator that meets all air quality standards.

Wilson states that landfills historically have been an undesirable option. In the 60s and 70s there was a clear reason why they were an undesirable option. With modern landfills when was the last time you heard of a major failure or contamination that had a major impact on public health. The technology and engineering of landfills has improved and people have learned how to operate landfills better. Coincidentally they have also been cheaper than most of the alternatives. Landfills will be around a long, long time. They will not be replaced except incrementally. Incineration will make a comeback. It has gotten refined over the years.

On the hand-out any of the in-county options once you talk about siting, as a practical matter, they go down the drain. Even if it were possible you may still be talking flow control issues to maintain some stable financial structure that supports it.

Regarding the export, that gets you back to the notion of a transfer station. Economic and environmental issues make it unavoidable that the Commissioners will have to deal with this issue again. Another issue with export and regional partnerships, though it is ultimately the best solution, but looking at some of the difficulties over the years, just the micro-regional situation we have within Orange County that is a fraction of the difficulty of setting up and maintaining a larger regional structure. We have family fights with our municipal partners now, but imagine thirty or forty other municipal partners.

Spire states that no matter the technology, there is always a residue rate that has to go some place. The incinerators produce ash that has to go some place. As you look at the whole process that is something that you have to keep in the back of your mind also.

Minutes – Regular Meeting  
Solid Waste Advisory Board  
June 8, 2011

**Approved September 14, 2011**

Sassaman states that there is a lot of discussion that can be woven through this framework. There are some key questions that come to mind. One is the ethics of passing our problem to outside communities. We are where we are because of our environmental justice issues and communities issues. If we ship it out of county we have expanded the boundaries of where we put our trash to others. The second issue is the importance of costs. How important is cost or cost savings to us as a county? Thirdly is the importance of environmental issues. In whatever we do we have to balance the geological, biological environment, the regulatory environment and the social environment and the effects on those. Pollutants from a landfill generally don't go far while pollutants from a 100 foot incinerator stack can travel far if air pollution equipment fails. Fourthly is the role of politics.

Yuhasz states that the idea that we don't want to ship our waste to some other community is an enticing idea but the alternative to it is that we could look at that as just redefining the [concept of the] community that we are living in. As soon as we take the trash out of the kitchen and send it off some place else we are sending it off to another community. The idea that we don't want to send out trash out of Orange County as if there is some great moral and ethical value to not doing that I'm not sure that I buy that. If we do it in a way that we are unaware of the consequences to the community that we are shipping it to that is a problem.

Wilson states that regarding alternatives I will be part of an exclusive tour this Friday with the Clean Energy Development Center in Durham. It is a bio-energy development facility. I don't know of any near term potential of this technology, but I want to get more knowledgeable about it.

I've also been contacted by the Chamber of Commerce who has been contacted by one of the pyrolysis company representatives to set up a meeting. There is a lot of research and development going on but not a lot of implementation.

Cheren states that in playing the devils' advocate if the Commissioners said that we will act on what you recommend give us a plan for the next 10 or 20 years, what would you say?

Wilson replies that it is fairly straightforward as far as I'm concerned. You will need an efficient transfer capability to move the waste somewhere. You develop a transfer station and then go out for bid on who will get the waste and see what is the cheapest including transportation cost as well as tipping fee cost that you can get it done for. It would be a landfill because there isn't an alternative to landfills in any reasonable proximity. Once that is determined as an interim solution for five or ten years then you calmly and intelligently start examining, without any pressure, the emerging technologies. Then you make your long-term decision.

Minutes – Regular Meeting  
Solid Waste Advisory Board  
June 8, 2011

**Approved September 14, 2011**

Cheren states that to clarify after closing the landfill and the option is to go to Durham and that is a five year interim. Is the time now to look at the emerging technologies because of the lead time?

Wilson replies no. I think from an environmental and financial standpoint you try to avoid direct hauling from routes to the Durham transfer station. You need your Orange County transfer station as soon as the landfill closes. There is no advantage in not having a transfer station once the landfill closes. There are only disadvantages. You should always keep your eyes and ears open on emerging technologies and keep up with developments. We have performed a fairly comprehensive preliminary assessment of technologies two years ago. I don't think anything has changed from that. I think we should learn to take "no" for an answer and be observant and patient.

Cheren states that to be clear your recommendation would be to assume that we are going to build a transfer station in Orange County at some point because of the transit costs and equipment and all that. But the ultimate solution is move our trash somewhere else and have the efficiencies of the transfer station here.

Wilson states that there is no evidence that there will be a short or long-term in-county solution. You will transfer waste out of county so why not recognize that inevitability and be prepared with a transfer station once your landfill reaches capacity. Then wherever you are sending it, you are sending it in the most efficient and least environmental impacting way.

Sassaman states that the other thing is if we are operating the transfer station we can then exercise the flow control over what goes through that to minimize the stream of waste that gets destroyed or landfilled and maximize the materials that get recycled or reused. From an environmental standpoint it makes a lot of sense to do it here and control it. It seems that that costs would be significantly lower if we transferred it out of a local transfer station and any of the profit would be retained.

Cheren states that assuming all of that is actual and factual how do you go about, considering what we just came off of, selling a transfer station in Orange County to everybody and where are you going to put it.

Wilson states that the key is the word "everybody". You are not going to convince everybody. You need to make the basis of why a transfer station is needed and necessary. That is pretty easy to demonstrate from a financial and environmental standpoint. There will still be the NIMBY issues and the long simmering landfill neighbors' issues but that is one of the tough decisions that have to be made by governments.

**Approved September 14, 2011**

Yuhasz states that when we transfer, it won't necessarily be the cheapest place but the best place and that may not be the cheapest place. If it's a more environmentally sensitive landfill and it costs a bit more, that's what we want to do. Ultimately what Gayle has described is what we are going to have to do because I've been at this table about two years and I've still yet to see proven emerging technology that is going to be affective for Orange County's solid waste. It doesn't exist. To say that we should get on board with a particular technology now because it is going to help us in five years I don't see that there is a technology that we can make that investment in at this point. We need to plan for what we are going to do in three or four years and I think it is going to involve a transfer station. It is going to take the political will to determine where a transfer station needs to be located in Orange County. That is going to take a greater participation from all the partners in generating the waste to help find a site that is going to be least offensive to the greatest number of people. It needs to be acceptable to our partners and be located somewhere near the center of trash generation. I don't think that it is only the County Commissioners that need to be involved in the community discussion as to where that ought to be.

Smith states that I can foresee a transfer station in this immediate area. I can see train movement rather than truck movement. Though I don't know who has the train thing on the other end.

Wilson states that there are some challenges with that. Durham looked into rail haul when they built their existing transfer station. It is very expensive and requires a fairly significant amount of waste to make it worthwhile. The City of Los Angeles looked at it, but they have thousands of tons a day. In Orange County we won't have the amount to make it economical. It may be more economical to compact it on to flat cars but that too has economic limitations.

Talbert states that from my experience I've worked in a county that has a transfer station. It works well. There is very little smell. Ninety-five percent of the garbage goes out on a daily basis. There is a small residual every day that is covered and out of the way, very small compared to what you do in a landfill.

Ultimately it is a financial decision. Our partners don't know yet how much it is going to cost them once we close the landfill. It will be apparent soon when the BOCC sets a date. What comes next will be much more expensive. A transfer station here will be a political decision but it will also be driven by the dollars. Once we start delivering very small loads or containers from our various sites to Durham transfer station we are looking at significant increases in our operation costs. That is a question that we have to politically and managerially deal with. There is no quick and easy answer. As stated this location is pretty near the center of the county. At some point something near the center of the county makes sense.

Minutes – Regular Meeting  
Solid Waste Advisory Board  
June 8, 2011

**Approved September 14, 2011**

What happened in the last 60 days with the \$5 surcharge has brought all the partners back to the table. They hopefully will recognize that it's not just a county problem. It is a county-wide problem. We are going to start looking at the next generation of the interlocal agreement. That is the tool to get this done.

Cheren asks where is that – the new group.

Yuhasz replies the membership has been filled out and hopefully in the next 30 days have a meeting to discuss the contours of what we are going to discuss. We are going to use as a basis for the discussion the recommendation that came out of the SWAB, the issues that need to be discussed in a new interlocal agreement.

Pollock asks who are the representatives from the other governments.

Yuhasz replies Jim Ward - Chapel Hill, Brian Lowen - Hillsborough and Mark Chilton - Carrboro. All of them have spent time in this room looking at these issues.

**6. Programs and Services Update**

a. *Rogers Road Community Benefits Update* Wilson states that included in your agenda packet is the resolution adopted by the BOCC regarding providing funds for benefits in the Rogers Road community. That is part of the budget. It is my understanding that there will be meetings to discuss the details of what specific benefits that need funding, what the priorities are going to be and how all of that is going to come about. There has been some issues raised about what is or isn't legal. The county attorney will be providing advice to the decision makers regarding that issue.

There is a meaningful and deliberate process that has been instituted that will not be completed very soon but will start bearing fruit soon. Depending on what the issues are some of them may be multi-year.

Yuhasz states that the last time we met we had a discussion about whether or not a group would be constituted to look at the issues and make recommendations. The board decided that that was going to be an unnecessary step. Stan has been working with the neighborhood group to come up with a list of suggestions of areas we can start moving on. We are going to do something. We may not be able to do everything everybody wants, but we will do something. Once we have made the commitments and filled the commitments we've made that will be at least from the commissioners stand point the end to the discussion of Rogers Road and the landfill.

Cheren asks Gayle, have you heard anything back on the indemnification

Wilson replies yes. That is wrapped up in some of the legal issues. The attorney has concerns about the County's ability to waive federal and state laws regarding illegal

Minutes – Regular Meeting  
Solid Waste Advisory Board  
June 8, 2011

**Approved September 14, 2011**

dumping even if we were able to waive local ordinances. That discussion will continue. The attorney is advising caution in waiving liability.

Cheren asks has he taken a position on it that we can take back to the community and get some dialog going.

Wilson states that I'm not sure that he has put anything in writing. I think he wants to get a better grasp on the issues. The illegal dumping is one of a number of issues that will have legal connotations so I think he rather not deal with it piecemeal but as a group of issues.

Cheren asks is there a tentative timeline on hitting the mark saying here is where we are, this is what we can do etc.

Yuhasz replies no. At our meeting the suggestion was that the community would come back with a list and that may be what we are waiting on as the first real step in making the next step.

Sassaman asks a list of what.

Cheren replies a list of points for remediation and that has been done.

Wilson states that I'm not sure on some of the remediation issues I don't know that you need to have waiver before you can discuss it but it is a little more tenuous on the illegal dumping issue. A list of general benefits is different from a list of addresses.

Cheren states that the list of homeowners has essentially been done and we are waiting for it be signed off on.

Sassaman states that it's likely some of those with illegal dump sites are reluctant to stand up and say they have one and they have things they would like removed. For certain substances, there are very strict Federal laws. It gets into an area of legal issues that not many attorneys are familiar with, the area of CERCLA law and joint and several liabilities and who is liable. "You touch it, you own it."

Talbert states that there is no definite timeline yet. The first step is the adoption of the budget and the \$5 fee. That comes on the 21<sup>st</sup> which sets the ball in motion.

Cheren states that that gives us a partial means based on the rough projections of total costs. The \$750,000 plus the \$5 (times 50,000 tons = \$250,000) (= \$1 million) appears to get us half way there, which is another discussion after we get things tightened up.

**Approved September 14, 2011**

b. *Hillsborough Hog Day Waste Minimization* Pollock states that after ten years of work with Muriel Williman's leadership Hillsborough's Hog Day achieved a 88% waste diversion rate. Of all the garbage that we were able to measure there all but 12% was sent off for composting or recycling. What preceded that was us working closely with the Hog Day team to set up initially a few recycling stations for cans and bottles which evolved over time where now all the vendors are responsible for having only recyclable or compostable serving utensils, plates and cups. That is enforced by the Chamber of Commerce. We have a staff of people working to reinforce all the composting and recycling with the public. We had 34 volunteers helping us to help the 11,000 people that do this right. This is the biggest public festival in Orange County these days. It took every bit of those ten years to get all these people on board. We can do this only with the support from BOCC to have a budget to hire temporary help and all the other supporting services.

c. *Other* Pollock states that we got a two-part grant from the NC Division of Environmental Assistance and Outreach. They awarded Orange County \$40,000 (actually \$30,000) in grant money partly to accommodate our baler to improve the efficiencies of our operations. For managing predominantly bulky plastics, they will have a conveyor rather than push into a pit. We will also buy several roll-off containers to initiate shingle recycling. There are newest item to gain a market. Tear off roofing shingles are a desirable source of asphalt cement. Our intent is capture back the shingles and send them to an asphalt paving plant. We will propose a differential tip fee to attract more shingles.

Wilson states that the BOCC last night authorized the acceptance of those grants and the initiation of a preferential tip fee for clean separated asphalt shingles.

7. **Board Member Comments** Cheren states that I participate in the Eno Festival as a vendor and they go berserk with recycling. I'm curious to know after you do something like Hog Day and have such a grand performance, do you go into the community with ads or flyers stating what you've done?

Pollock states that we issued a news release on Tuesday hopefully it will show up in the media. It will be posted on our web page. If no one else writes about it we will do it ourselves in the News of Orange and the Chapel Hill Herald. The Chamber of Commerce may further publicize this success as Hog Day is their festival.

8. **Other Business** -- None

Smith moves to adjourn  
Bowerman seconds.  
Adjourn: 8:55 pm