

## ITEM 1.B.

### **Ontario County ENVIRONMENTAL QUALITY COMMITTEE MINUTES July 6, 2016**

**Committee Members:** *RUSSELL*, Baker, Evangelista, Singer, Venuti, and Wickham

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**Attendees:** Supervisors Russell, Baker, Singer, Evangelista, and Wickham

**Staff:** Mary Krause, Brian Young, Tom Harvey, Tim Jensen, Linda Frasca, Art James, and Mary Gates

**Consultants/Guests:** Dave Shaw – FLT, Jerry Leone and Larry Schilling - Casella

**Call to Order:** Chair Russell, called the meeting to order at 3:30 p.m., and declared all members present except for Supervisor Venuti who was necessarily absent.

**Approval of Minutes** (6/15/16 and 6/23/16): *Supervisor Evangelista made a motion that was seconded by Supervisor Baker to accept and approve the 6/16/16 and 6/23/16 EQC minutes as presented.*

*Motion unanimously carried.*

#### **Solid Waste Management Plan**

2A. SWMP 2016 Implementation Strategy Update – Staff indicated that a number of dates had been adjusted to show a delay of week or two for completion of various tasks. Supervisor Evangelista asked that staff look into adding electronics collection to the September 24<sup>th</sup> HHW collection event.

2B. Staff Presentation on Composting Conference – This was rescheduled to a future meeting to allow staff more time to research issues surrounding diversion of organics in New York and how they are likely to impact Ontario County

2C. Solid Waste Local Law Update – Continued discussion took place regarding local laws, specifically the flow control law” and how Ontario County can handle it. Mr. Harvey stated that the flow control law was for incoming waste. Supervisor Evangelista stated he thought that Ontario County could not do this as Flow Control essentially had been struck down as unconstitutional. Mr. Harvey stated for incoming waste this was absolutely correct. Supervisor Evangelista questioned whether we should do anything or just let the law remain on the books as is, or do we amend it or do something that actually reflects what the law is. Supervisor Baker stated that it was his personal feeling that the laws do not reflect what they do – we do what the laws reflect – why follow the laws when they are not enforced. He has been getting calls from constituents who diligently recycle accordingly only to watch their hauler come and toss everything – trash and recyclables together in the compactor; yet on the books it states you have to sort your stuff yet it is all mixed together and hauled off to the landfill. Chair Russell asked the committee if they would like planning and county attorney staff to go back through the laws and pull and highlight everything that should come out of the local laws due to being either illegal or not a practice any longer which could make it a bit easier for the committee to clean up outdated local laws. Mr. Harvey stated this could be done quickly, and further stated that it is his recommendation that the law be repealed and taken off the books as it makes no sense, is not regulated, and does not reflect reality. According to the County Attorney’s office it is unclear how we could make a case to prohibit the importation of solid waste flow control incoming and make it legal. Supervisor Baker liked Mr. Harvey’s recommendation and stated he’d like to see

something that states what the County's practices are. Mr. Harvey gave a brief status of what it is the County does and doesn't practice. Continued discussion will take place at the 7/27/16 committee meeting. Chair Russell stated that at time the committee would have a recommendation/direction for staff to follow up on.

### **Landfill – Operations and Expansion –**

3A. Operations and Expansion Update – Jerry Leone shared that Matt East was out on a much deserved vacation and introduced Larry Schilling, Vice President of Development and Marketing at Casella. Mr. Leone reported the following:

1. With schools out for the summer it has been relatively quiet in the tour department. Hobart College is scheduled for a 2 hour event on 7/20.
2. Casella has provided a drop off site in Romulus for the Mennonite Community to drop off the Ag wrap waste to be used for green houses. Cornell Cooperative Extension will pick up the dropped off and will reuse it in the Bronx. Mr. Leone will report on the results in the near future.
3. On the operational side, they have completed some matting and erosion controls on the east side of the landfill; hopefully, you will soon see some green grass there as well.
4. On the construction side, they have completed the leachate lagoons, the gas work, and the waste relocation activities. Work has begun on the action leakage ring for Cell 9B1 which is the smaller intermediate cell. They are working on the stone completion layer and in due time will complete the 30 day action leakage rate and seek approval from the state.
5. Generally on schedule in that area and the excavation work on individual cells continues to go forward as well.
6. In the midst of attempting to schedule a closing for the property to the south that will be the new borrow pit – target date – September – which falls in the timelines in respect to the agreements.
7. Flares are on site. One has been commissioned, and will be following up with the second flare tomorrow (7/7/16).
8. Construction has moved along very well, especially with the great weather we have been having.
9. Lots of dust control in place.

3B. Status of Special Waste Issues – Mary Krause reported that each county employee at the landfill received a letter last week to permit them to go through Human Resources to set up an appointment with Health Works for baseline testing which will be paid for by Casella. We have also received the medical surveillance information from Casella and it is being shared with Dr. Carlson with Health Works. In additional, we have met with the CSEA. Employees have requested the air monitoring protocols that have been put in place by Casella and it has been forwarded to CSEA. Those are the outstanding issues that were brought to attention due to the special waste issue in March 2016, and to her knowledge they have now all been addressed. Employees have until the end of the month to pursue the baseline testing, it is voluntarily and it is for both County and Casella employees. If they want the medical surveillance information or want to go to their own physician they can do so.

3C. DEC Inspections Reports – No questions at this time.

### **Landfill – Permitting**

4A. Proposed Revisions of Part 360 Regulations – Mr. Harvey reported that he has received a notice from the DEC (email) stating that the deadline for Comments has been extended until September 13<sup>th</sup>. A few supervisors have submitted comments. He will be meeting with Supervisor Helming on Friday. Doing a final review and making sure there is a very clear analysis report provided. Anticipates bringing the matter back before the committee at the 7/27/16 meeting. For housekeeping purposes, Chair Russell will bring the resolution back before the BOS at their 7/15 meeting and will recommend voting it down. This will ensure that it does not remain out there and that a cleaner, tighter document will be brought before the board when finalized with all information.

4B. Status of Permit Appeal Timeframes and Success Payments – The contracts have been received. ***Motion to accept proposal as submitted made by Supervisor Singer, seconded by Supervisor Evangelista. Motion unanimously carried.***

4C. Landfill Closure and Post-Closure Sureties – Additional information being looked at. The matter will be brought back to the committee.

### **Other**

5A. SCS Proposal to Perform Audit of Landfill Gas Collection System –

5B. Privilege of the Floor – Tom Harvey reported on the Manchester Roundhouse matter and asked if the committee would like further updates in the future. EQC members responded yes, it is something they should be kept abreast of.

**Adjournment** – There being no further business before the committee, *at 4:10 pm a motion was made by Supervisor Baker and seconded by Supervisor Singer to adjourn; motion carried unanimously.*