

Ontario County
ENVIRONMENTAL QUALITY COMMITTEE MINUTES
March 2, 2016

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

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

Staff: Tom Harvey, Mary Krause, Mary Gates, Tim Jensen, Linda Frasca, Holly Adams

Consultants/Guests: Supervisor Vedora, Supervisor Helming, Jerry Leone, Matt East - Casella Waste Management, Tim Davis - Cornell Cooperative Extension, Thomas Borne, and Dave Shaw – FLT.

Call to Order: Chair Russell, called the meeting to order at 3:33 p.m., and declared all members present.

Chair Russell welcomed Supervisors Vedora and Helming and stated that the Privilege of the Floor agenda would be moved to the end of the meeting as there were many items to review and discuss.

Approval of Minutes: Chair Russell requested a motion to approve the February 10, 2016 minutes as presented. Supervisor Baker stated he had found a small correction and would let Ms. Frasca know where it was in the minutes after the meeting. ***Motion to approve the 2/10/16 minutes with small correction made by Supervisor Singer, seconded by Supervisor Wickham. Motion unanimously carried.***

2. Solid Waste Management Plan

A. SWMP 2016 Implementation Strategy Update: Tim Jensen stated the implementation strategy had been included in the agenda packet for the committee's review. Things are moving along and on schedule. All steps are not yet completed but staff continues to move forward to complete the implementation strategies. Municipal surveys are almost completed with only a handful left to finish; appointments are set to see that they are completed shortly. Staff will have a tabulation summary available for the committee at the next EQC meeting.

B. SWMP – County Agency Waste Diversion Progress Report: Mr. Jensen reported that as of Monday (2/29/16) Casella was now collecting our waste and recyclables. It will be approximately a month or so before we will see a report of exactly how much Casella is hauling away. Mr. Jensen reminded the committee that Casella would be going from building to building, facility to facility and will recommend to the County a strategy of what could possibly be done better. A note has been sent out to all County employees on what can/should be recycled besides paper and cardboard, and what should not be recycled.

Supervisor Helming asked if anyone had walked through the County buildings to note where recycling bins were, and suggested that recycling containers be placed in conference rooms and public areas in the County buildings. Mr. Jensen informed the committee that a meeting has been scheduled for 3/10/16 with the Director of Human Resources and other County staff to discuss points of contact within each department/facility and have them be the champions for recycling for their respective building/facility. HR will assist with training, awareness, and information

circulation. Mary Krause stated she will be participating in the 3/10 meeting and is looking to flesh out more on the matter at the meeting. Mr. Jensen stated he will provide the committee with a report on the outcome of the 3/10 meeting at the next EQC meeting. Staff will also report on the Leaders Group on the matter as well.

C. Household Hazardous Waste Collection Update: Mr. Jensen reported that staff had met with Casella and Cornell Cooperative Extension staff to discuss CCE's role and outreach to the community on the HHWC event. The first event is scheduled for April 23rd. A notice will be sent out a month prior to the event and will also be in the newspapers. Flyers will be distributed throughout the County as well. The matter needs to be addressed quickly and CCE will move forward with their role in a very timely manner. Supervisor Helming questioned if Casella accepted electrical items at the HHWC event. Mr. Leone stated no, electrical are not accepted. He further shared that if someone wanted to dispose of an electrical item (computers/televisions, etc.) that Casella would allow it to be dropped off for a small fee. Mr. Jensen reported that we are closing in on a site for Western NY.

D. e-Waste Issues: Mr. Harvey reported on the e-Waste matter. In 2010, New York State adopted the New York State Electronic Equipment Recycling and Reuse Act that intended to shift the financial burden for proper recycling/disposal of e-waste to the manufacturers of electronic equipment. Manufacturers were given a quota by the Department of Environmental Conservation (DEC) based upon the weight of the new e-waste they manufactured that were sold in New York. A system of collection sites was established (published by DEC) and paid for by the manufacturers for consumers to drop off their e-waste. That all worked well until 2015 when it became illegal for consumers to just dump e-waste into landfills. Consumers are replacing a lot of old cathode ray tubes (such as old TV's and computer monitors). When consumers started flooding e-waste collection sites with cathode ray tubes, the cost of disposing of them was so great because of their weight and heavy metals they contain that manufacturers reached their quotas early in the year. Because quotas had been met and the New York State Electronic Equipment Recycling and Reuse Act prohibits consumers from being charged for recycling their e-waste, many of the e-waste collection sites closed part way through the year. Consumers were left with nowhere to dispose of their e-waste. If a municipality accepted e-waste at their transfer station, suddenly they saw a big increase in the quantity of e-waste showing up. Municipalities often had contracts with companies that were also funded by the manufacturers for handling e-waste and suddenly were faced with charges from those companies when they no longer received manufacturer funding. Since the County does not operate transfer stations, the County's only expenses related to e-waste are for properly handling e-waste the county generates. In 2015, Ontario County generated of nearly 16,000 lbs. of e-waste but it cost the county less than \$100 to properly dispose of. In Ontario County the impact is being felt by the municipalities that operate transfer stations.

Mr. Harvey shared the deputy Commissioner of DEC recently testified before the legislature that DEC proposes to reimburse municipalities for 50% of the cost of running local e-waste programs by taking up to \$2 million from the Environmental Protection Fund. The New York State Association of Counties (NYSAC) has documented that a dozen upstate NY counties had incurred \$2 million in e-waste costs in 2015, and has proposed that \$10 million be made available to municipalities. Supervisor Helming shared her concern that additional funding be obtained, as the Town of Canandaigua does accept e-waste and saw their program go from being a revenue generator to one that costs the town a substantial amount.

There was general discussion about the intention of the state's law being to transfer fiscal responsibility back to the manufacturers; the program the state set up didn't cover the need and now municipalities were unexpectedly bearing the cost.

Supervisor Evangelista requested that staff compile what the estimated costs to the municipalities were. Staff have some of that information, but may need to follow up with some of the municipalities. There was general agreement that the County should send a letter and/or pass a resolution to support the NYSAC position Ms. Krause offered to draft a letter and file it with the Board of Supervisors. Mr. Harvey observed that to date there was not grant announcement from DEC nor any authorization in the governor's budget proposal for even the two million dollars (\$2M) proposed by the DEC Deputy Commissioner, and that if 12 counties could document \$2 million of costs in 2015, then \$2 million from the state wasn't going to be enough statewide.

Discussion took place as to what the resolution should state. Supervisor Helming stated we should not include a dollar figure but should propose an increase in funding. Supervisor Evangelista stated we have to know how much to ask for. ***Motion was made by Supervisor Evangelista, seconded by Supervisor Venuti, directing the Planning Department to develop, circulate to the committee, and file with the Board of Supervisors a draft resolution requesting the state provide additional funding for municipalities for handling e-waste. Motion unanimously carried.***

Landfill Operational:

3A. Operations Report - Jerry Leone reported that since the last meeting Casella has done the following:

1. Has spoken with staff at CCE on the HHWC event. Casella is encouraging CEE to get word out to the public sooner rather than later. They are starting to receive calls from the public as to when the event will be held.
2. Reported on the work being done by Casella Solutions with area industries (i.e. Zotos). The group is making significant strides in educating area industries as to what can and cannot be accepted at the landfill and for opportunities to divert and recycle materials. They will continue to work with the industry folks on education and Casella involvement.
3. A DEC intern has been on site and monitoring Casella on a fairly regular basis. He has been there several times in the past two (2) weeks.
4. Recently have installed gas wells. On 3/7 a header line re-alignment will follow and will connect the new installed wells.
5. Received approval from the DEC for the Leachate Lagoon relocation.
6. Bids are due Friday (3/) for the leachate lagoon and cell construction. They are hoping the weather cooperates as it is a very tight construction schedule.

Matthew East, Casella General Manager, reported clay is being brought in and stockpiled at this time for the construction project(s). No new issues or problems – pretty much normal operations.

Mr. Leone reported on the available air space remaining. They have seen a reduction in incoming volume which is pretty seasonable. This should help extend thing by a few weeks.

B. & C. Ontario County Landfill 2015 Annual Report and Casella Ontario County Recycling Report: The 2015 Ontario County Landfill Annual Report was submitted by the 3/1/16 due date. It was noted that the contact name on the report still states John Garvey and should reflect the new County Administrator's name – Mary Krause. Also should the contact be the County or Casella? Mr. Harvey will look into properly specifying the county contacts.

D. Revisions to Part 360 Regulations: Mr. Harvey reported that the draft revisions to Part 360 were posted by the DEC on February 26, and that comments are due by July 8. As reported last fall, the majority of the changes are organizational. DEC has announced that they intend to include a change that requires new permit applications from private entities to demonstrate consistency with Local Solid Waste Management Plan's in the facility's service area. The exact wording of such a requirement is something we will want to pay careful attention to. Another changes proposed of note include:

1. New landfills or expansion of existing landfills must utilize above ground leachate storage tanks.
 2. Alternative daily cover above 20% of the annual tonnage will now count toward tonnage disposed.
 3. Financial Assurance for landfills will now include long term custodial care after the post closure period.
 4. Planning Units (like Ontario County) will now need to provide both an annual report and a biennial update of their Local Solid Waste Management Plan.
- The Planning Department will work with county staff and Casella to bring a more robust analysis back to the committee in time for filing any comments back to DEC prior to July 8.

E. DEC Inspection Reports: No questions.

Landfill Expansion: Nothing to report at this time.

5. Other:

A. Landfill Site Master Plan: Tom Harvey reviewed what has happened in the past. In 2011 the County signed a contract with Barton and Loguidice for the Landfill Site Master Plan. In 2013 the County suspended the master plan update in order to concentrate on the landfill expansion. Staff is recommending property site master plan be reactivated and brought to conclusion. We believe there is an opportunity to attract co-location of businesses that would assist in achieving the goals of the Solid Waste Management Plan. Town zoning supports commercial and industrial development of the site. Staff is looking for committee discussion on what the next steps should be.

Chair Russell questioned whether or not monies had been spent. Mr. Harvey reported that yes, we had paid B&L and there is a small encumbered amount remaining to be spent. Chair Russell requested staff see if there is support to bring the site master plan update back in to focus. Supervisor Baker shared his thoughts on the matter stating that it made sense to get things back on the burner with Casella and the Town of Seneca now that we are through the landfill expansion. Mr. Leone stated that everyone should look at the Madison County efforts – they have done some remarkable things – i.e. gas to energy plant. Supervisor Baker reminded the committee that at the time one of our problems were the sewer lines as we were not going east. Mr. Harvey reviewed the county's options. Supervisor Singer stated we need to get input from B&L and then update it with today's numbers, then bring it to the committee. Mr. Harvey will

follow up and get back to the committee. Remaining committee members agreed with this idea. Supervisor Evangelista stated that Casella or the County or both need to look at treating the leachate at the landfill. Mr. Harvey agreed this should be studied as part of the plan development.

B. What Happens When the OML Expires: Supervisor Venuti proposed the question to Assistant County Attorney, Kris Thorsness. Mr. Jensen read her email response to the committee that stated Casella's obligation to maintain the site. Mr. Venuti thought it was important for the County to adopt a position about its intent on closing the landfill when the Casella lease ends. He stated it was important for the Board to go on record so that people understood the Board's intent and took the efforts being put into waste reduction, diversion, and recycling more seriously. Supervisor Baker stated that possibly the wording concerning the county's intent on closing the landfill shouldn't be tied to the term of the lease. What happens if at the end of the lease there is available air space remaining, and that space could be used for solid waste generated from within the county? Would it be prudent to close the landfill after that much investment had been made to provide for safe disposal of solid waste? Mr. Venuti suggested that the resolution be one of intent that could be revisited every couple of years to address the issue of a current board not locking in the decision making authority of a future board. Tom Harvey remarked that the purpose of the Solid Waste Management Plan (SWMP) was to state the county's intent. The County is the local solid waste planning unit, and the current SWMP took a ten year look into the future. The next iteration of the plan will have to look at the period when the landfill is slated to reach its capacity limit. The County will have to determine where solid waste will be disposed of if we aren't at zero waste generation, and whether the Material Recycling Facility stays in operation (the building becomes the property of the County at the end of the Casella lease, but not the equipment). The County administrator suggested looking at the landfill property as an asset, how it fits into the SWMP, and how it fits into our solid waste goals. Mr. Harvey stated that the county's seems to be to get as close to zero waste being generated from within the county as possible in order to eliminate the need for a county landfill as a component of the SWMP. Chairman Russell commented that there seems to be consensus among the committee that the waste stream needs to be reduced, and that needed to be the emphasis of a resolution instead of referencing the end of the Casella lease. He directed Mr. Harvey to work with the County Administrator and draft a resolution for discussion at the next meeting.

Privilege of the Floor: Chairman Russell offered Privilege of Floor for those present.

Adjournment: There being no further business before the committee, a *motion was made by Supervisor Singer, seconded by Supervisor Wickham to adjourn at 4:53 pm; motion carried unanimously.*

Respectfully submitted,

Linda R. Frasca
Senior Clerk