

MINUTES

RAPPAHANNOCK REGIONAL SOLID WASTE MANAGEMENT BOARD

June 19, 2013

George L. Gordon Government Center
Board of Supervisor Chambers

Meeting Convened: A regular meeting of the Rappahannock Regional Solid Waste Management Board (R-Board) was convened at 9:30 A.M., Wednesday, June 19, 2013 at the George L. Gordon Government Center, Board of Supervisor Chambers.

Roll Call: The following members were present: Paul V. Milde, III, Chairman; Frederic N. Howe, III, Vice Chairman; Beverley R. Cameron; George Solley; Gary Snellings, Keith Dayton served as alternate for Anthony J. Romanello, who was reported absent.

Also in attendance were: Bill Hefty, Esq., R-Board Attorney; Robert L. Hundley, Resource International, Ltd.; Doug Martinski, Landfill Superintendent; Joseph Yavorski, Managing Partner EEP, LLC; Diane L. Jones, Julie May, and Stephanie Persico, R-Board Staff.

Mr. Cameron motioned, seconded by Mr. Snellings, to approve the minutes for April 22, 2013.

By voice, the vote was:

Yea: (6) Cameron, Howe, Milde, Solley, Snellings, Dayton
Nay: (0)

Presentation by the Public: There were no presentations by the public.

Report of the R-Board Attorney: Mr. Hefty reported that no new regulations affecting landfill operations were passed in the general assembly during the 2013 session. There is no new litigation against the R-Board at this time.

Report of Staff: Mr. Dayton reported the current status of staffing. The landfill currently is authorized for 34 positions, 26 positions are filled with 8 vacant positions. He reported that the Administrative Specialist position was filled. He introduced Mrs. Stephanie Persico, Administrative Specialist. Staff is currently recruiting for two Maintenance 1 positions.

Permits: Ms. May reported that staff is working on internal housekeeping measures to prevent deficiencies when our anticipated DEQ inspection occurs next month. She also has been doing self-inspections of the landfill. She reported that all diesel and used oil storage tanks at the landfill are in compliance with state law and have been registered with DEQ. Staff is working to update their spill prevention, control and countermeasure plan. She is working with Resource on the draft permit for Cell F1.

Recent Activities of Note: Ms. May reported on recent community activities such as Earth Day on the Rappahannock and The Friends of the Rappahannock River clean up. The river cleanup netted 2.34 tons of trash and 31 tires. It was held April 27, 2013. Household Hazardous Waste Collection Day was held on April 13, 2013 at the Eskimo Hill Residential Use Site. 192 residents participated. A total of 5,885 gallons of material and 2,119 linear feet of fluorescent bulbs were

collected. The R-board received an approved recycling rate of 49% for calendar 2012 from the Department of Environmental Quality.

Report on Finances:

Mr. Dayton provided the Board with a financial summary through May 2013. After 92% of the fiscal year, the Board is at 73% of budgeted revenue and 83% of expenditures. He believes we will be approximately \$200,000 short of budgeted revenues by the end of the fiscal year. He did note that April and May revenues are showing improvement, this could be an indicator of an economic startup. He has compared our improvements with the county's treasurer's office which has also seen rebound in revenues. He reported on current customer account status. Defense finance (Quantico) is the only account in arrears. A Weight and Material Analysis was also provided. Staff continues to improve tracking of waste received at the landfill.

Unfinished Business:

Budget:

The FY 2014 budget was discussed. Mr. Dayton reported that R-Board employees will receive the same compensation package as county employees. He also noted Cell E closure costs. Resolution RB-13-02 authorizing the proposed FY 14 budget was provided to the Board for consideration.

Mr. Cameron motioned, seconded by Mr. Solley, to approved Resolution RB 13-02.

By voice, the vote was:

Yea: (6) Cameron, Howe, Milde, Solley, Snellings, Dayton
Nay: (0)

Waste to Energy Progress Report: The Waste to Energy Agreement was executed April 22, 2013 at the R-Board meeting. Mr. Dayton reported that EEP has until June 26th 2013 to provide proof of funds and the \$1 million initial payment to the Board. Mr. Howe questioned the date. Mr. Dayton explained that the 45 day time frame encompassed business days only. The Stafford County Board of Supervisors authorized the execution of a lease at their June 4th meeting. City staff expects to present the matter to the City Council on July 9th. The County Attorney and City Counsel legal staff are reviewing the draft lease agreement. Further revisions have been suggested and forwarded to EEP for comment. Mr. Dayton and Mr. Yavorski met with air quality and solid waste permitting staff with the Department of Environmental Quality on June 4th. EEP is scheduled to begin prototype pyrolysis testing to establish operational and air quality performance parameters in California on July 8th 2013.

Mr. Yavorski came forward and addressed questions from the Board. Mr. Howe was concerned with regards to EEP meeting the deadline. Mr. Yavorski noted that assets were being pooled at this time. Mr. Yavorski noted that the meeting with DEQ was very positive. A significant point that would push the critical path forward and allow construction startup would be approval of the regulations governing the state's Permit by Rule action. The Board discussed the option of generating a letter to the Governor requesting his attention to this action. Because the site will be

located in Stafford County, the Stafford County Board of Supervisors will be asked to consider authorizing the County Administrator send a letter requesting action by the Governor on this matter.

Mr. Howe motioned, seconded by Mr. Snellings, presented a motion that the R-Board generate a letter to the Governor requesting his attention to the proposed regulations on the Permit by Rule and that they seek similar action from the Stafford County Board of Supervisors.

By voice, the vote was:

Yea: (6) Cameron, Howe, Milde, Solley, Snellings, Dayton
Nay: (0)

Mr. Yavorski reported that Dominion Power stressed that they will support schedule changes as they occur. Dominion Power and the R-Board are receiving monthly status reports. Mr. Howe asked Mr. Yavorski to explain in further detail about Pyrolic testing. This is a test which will burn the prototype to measure whether or not the product meets DEQ standards. Mr. Yavorski noted that DEQ staff members were invited to attend the test. Mr. Yavorski extended this invitation to Rboard members. There was discussion on extending the date for EEP to provide proof of funds and \$1 million initial payment to the R-Board.

Mr. Howe motioned, seconded by Mr. Solley, to amend the Waste to Energy Agreement and extend the date for EEP to provide proof of funds and \$1 million initial payment to the R-Board to July 26th 2013.

By voice, the vote was:

Yea: (6) Cameron, Howe, Milde, Solley, Snellings, Dayton
Nay: (0)

Cell F stockpile progress: Contractor began work in May and efforts on the stockpile are complete. Staff met with Corps of Engineers and Department of Conservation and Recreation in May to advise them of the erosion and remediation. They requested some minor additions to the plan. There have been no indications of penalties; to date the cost is at \$73,000. Mr. Dayton projects final costs at approximately \$150,000.

Remote Drop-off Sites: Mr. Dayton reported that staff evaluated the remote drop off sites. A detailed review is in your packages. Commercial services are now providing recycling service throughout the county. There has been a significant drop in site utilization, coupled with the fact that the service is costly. Staff recommends phasing out the following sites: Earl's, Geico, and North Stafford High School. Suggested date would be July 1, 2013 with an evaluation period of six months.

Mr. Snellings motioned, seconded by Mr. Milde, for closure of remote drop off sites at Earl's, Geico and North Stafford High School.

By voice, the vote was:

Yea: (6) Cameron, Howe, Milde, Solley, Snellings, Dayton
Nay: (0)

New Business:

Area Tipping Fee Survey: Mr. Dayton reported that staff has reviewed the tipping fees and compared those with other landfills in the region. Based on this information, it appears that the tipping fees at the landfill are highly competitive with other landfills in the surrounding area. He expressed concern about the financial effects on customers from variable billing rates per ton based on volume. He noted that staff will continue research this matter and may have a recommendation at a future R-Board meeting.

Closed Session

Personnel matter

Mr. Milde motioned, seconded by Mr. Howe, for closed session. Closed session began at 10:40 A.M.

By voice, the vote was:

Yea: (6) Cameron, Howe, Milde, Solley, Snellings, Dayton
Nay: (0)

Reopen Session

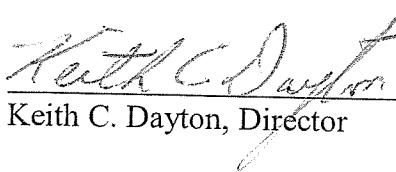
Mr. Solley motioned, seconded by Mr. Howe to reopen from closed session at 10:57 A.M.

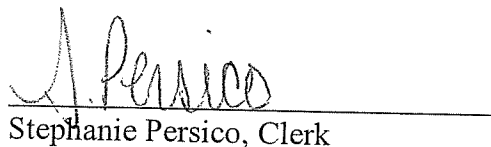
By voice, the vote was:

Yea: (6) Cameron, Howe, Milde, Solley, Snellings, Dayton
Nay: (0)

Future Session: Next meeting is scheduled for Sept 18th, 2013. The next meeting is scheduled for November 20, 2013.

Adjournment: The meeting adjourned at 10:59 A.M by unanimous vote.


Keith C. Dayton, Director


Stephanie Persico, Clerk