

***Ontario County***  
**ENVIRONMENTAL QUALITY COMMITTEE MINUTES**  
**July 2, 2014**

**Committee Members:** *BAKER*, Angelo, Evangelista, Sheppard, Singer, and Venuti

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**Attendees:**

Committee Members: Supervisor Sheppard, Supervisor Singer, Supervisor Venuti, Supervisor Evangelista.

Necessarily Absent: Supervisor Baker, and Supervisor Angelo.

Staff: Tom Harvey, John Garvey, Darlys McDonough, Kristen Thorsness, Linda Frasca, Terry Saxby, Tim Jensen, Supervisor Vedora, Supervisor Helming, and Supervisor Cowley.

Consultants/Guests: Jerry Leone - Casella Waste Management, Bob Walls, Casella Waste Management, Dave Shaw (Finger Lakes Times), Julie Sherwood (Canandaigua Daily Messenger), Steve - Healy, CSEA Union President.

Vice Chair Sheppard called the meeting to order at 4:13 p.m.

**Privilege of the Floor:** Vice Chair Sheppard offered Privilege of Floor for those present. Supervisor Vedora requested to speak, and was granted the floor.

Supervisor Vedora distributed information to EQC members regarding Eco Crete Solutions LLC, a company that provides waste diversion services. The information has been forwarded to Planning staff who were requested to look further in to the company to see if it had any merit. Staff will report back to the EQC at the next scheduled meeting.

Darlys McDonough, Deputy County Administrator, shared that she had looked at the company's website and couldn't quite figure out what it is they do/sell. She stated that now that our SWMP has been approved as we go forward we will see more and more interest from outside companies who will want to come in to see if what they offer will fit with what we need to do to implement the SWMP. The County has a process for purchasing things, and until we know what we really want we shouldn't start buying things one after another. Recommended we look in to and collect a list of leads to follow up on. Committee members agreed.

Jerry Leone, Casella Waste Management stated that Casella does not take in very much C&D (construction debris) at the Ontario County landfill; they have two (2) other landfills that do, one in Chemung County, and one in Painted Post area.

Supervisor Helming raised the EPA Ruling matter. Vice Chair Sheppard stated the matter was on the agenda and would be discussed at that time.

**Approval of Minutes: June 11, 2014**

***A Motion to accept and approve the June 11, 2014 as presented was made by Supervisor Singer, seconded by Supervisor Venuti. Motion unanimously carried.***

### **Update on the Proposed EPA Rulemaking – Federal Wetland Regulation & Waters of the United**

**States:** Vice Chair Sheppard shared that he and several others, P.J. Emerick - Director of the Ontario County Soil and Water, Sam Casella - Chairman of the Board for the District, and Supervisor Fred Lightfoote - Chairman of the Cornell Cooperative Extension Board, had traveled to Syracuse to the NY College of Environmental Science and Forestry specifically to participate in a seminar hosted by the EPA representative Ms. Nancy Stoner, Acting Assistant Administrator for Region II. (Region II covers New Jersey, Puerto Rico, and Virgin Islands.) The topic of discussion was the EPA and the poor 371page document on the proposed rule change to the clean water act. Supervisor Sheppard shared that the EPA is sincere in their efforts, but it is felt that we cannot get through to them our concerns regarding the proposed rule change, and that they were not appear receptive to what was being said by those in attendance. He further stated that what was presented in the document and their presentation was inconsistent, and that there are many questions that were presented by the twenty five to thirty attendees that have not been fully answered. Supervisor Sheppard shared that Public Works Commissioner Bill Wright has pushed out an American Association of State Highway Transportation Organization (AASHTO) document on the matter, and as we go forward, he (Sheppard) would like to offer it to the committee for their due diligence. The document has a list of references to the proposed rule and what he felt was an unbiased representation of what the EPA is trying to do and what the concerns are of those who will be falling under this rule.

Presently the proposed resolution is laid over (Laid over at 6/19/14 Board of Supervisors meeting). This provides some options. They (BOS) can refer it back to the EQC for further contemplation for existing text of abandonment of resolution as it is now, or table it with the possibility that it will never return from the table in lieu of a new resolution.

Although he does not feel we should just say no, it is clear we are not in support of the rulemaking, Supervisor Sheppard stated he agrees with Supervisor Helming that we should say no, we are in opposition to this rule making, but we should support in the text of our opposition a solution that will work for everyone.

Supervisor Singer stated she feels the resolution should be pulled back and returned to the EQC for further work to be done on it. More specifically, revise the resolution so it more accurately states what needs to be addressed so it is not as negatively worded as it is presently, make it quite clear what our stand is, and list our recommendations. No decision made at this time.

**360 Expansion Permit:** Jerry Leone, Casella Waste Management stated there was not much to report at this time. At the request of the DEC they have revised a couple of noise easements that are now in the process of being recorded. Other than that, the documents that were noted in the Notice of Complete Application have been addressed and resubmitted. They (Casella) are anticipating a Notice of Complete Application will be submitted by the DEC unless they decide there are still some things incomplete. Supervisor Sheppard questioned if the late issue of the permit will cause any issues at the landfill. Mr. Leone reported “no, it shouldn’t. They have a year of “easy airspace” available and then “nook & cranny” spots after that, and it is covered under the existing permit, so we should be fine. The good news is that no building will be required when the permit is issued. When the permit is issued, the County will receive a slight height increase so Casella will have the ability to continue to fill on the top of the landfill that will in turn give them time to relocate the infrastructure that will allow them build the next future cell.

**Solid Waste Management Plan:** Tom Harvey deferred the reporting of the SWMP to Tim Jensen. Mr. Jensen shared that a completed copy of the plan has been sent to Scott Foti from the Regional Office and

Dave Vitale in the Albany office as is required. At this time we are just waiting for word from them in regards to the final - final approval of the plan.

Proposal of funding of implementation of SWMP: Tom Harvey reported that County Administrator Garvey had requested that Planning staff look at what would happen if the payment schedule for the plan was converted to an equal annual payment stream. Mr. Harvey provided a proposed breakdown of possible funding of the implementation of the plan. Discussion ensued.

Supervisor Venuti questioned where the funding would come, etc. EQC tasked Planning Department to look in to these matters and report back to the committee.

### **Landfill Operational Update:**

Jerry Leone stated that the landfill continues with daily operations and all is going pretty well. They have been completing some upgrades and completed some work on the perimeter ditch. There was some damage to one of the cap liners which caused some odor/leachate problems; it has now been repaired. Bob Walls hired a crew to replace the boots which are a part of the cap as it had been determined that they had deteriorated over time.

Mr. Walls reported that since the last EQC meeting there have been no violations. The most visible thing going on at this time is the installation of 17' high fence poles to help with litter control. This should better help keep litter on the landfill site. Work continues on the upgrading all the roads that lead to the top of the facility – road widening/guard rails for safety. Stated it was a very busy time of year with lots of summer maintenance taking place.

DEC Inspection Report: Committee reviewed the report from the DEC (on file).

Landfill Gas Operations Data: Committee reviewed the data provided (on file). Additional updates will be provided as needed.

Proposed Monitoring Report Card: Committee to review and provide planning staff with any additions/changes they feel would help boil it down in to a format that would be easy to review what is going on at the landfill. Supervisor Sheppard stated he is not in favor of any more requirements of this body or any other body lacking the authority for action to encumber operations at the landfill. He suggested staff solicit Casella staff review the document and obtain their thoughts. Mr. Harvey and Mr. Jensen clarified that the monitoring report card will be used to report on landfill operations which are already reported on verbally at each meeting.

Verbal Report from Casella Management: See above.

Supervisor Evangelista asked Casella representatives about the established truck route to the landfill. He feels that haulers have gotten away from using the allowable route as he is seeing them more frequently coming off the thruway and going through the City of Geneva. Mr. Leone requested he get the name or number of the hauler and let him know. Supervisor Evangelista will do so.

Landfill Gas System Monitoring Report: Reviewed by Mr. Leone.

Landfill Gas System Follow-up Monitoring: Reviewed by Mr. Leone.

Landfill Odor: Mr. Leone reported on the four remaining items in the SCS report to be worked on. Casella continues to work towards operating at 50% methane level. With more time he is confident that the vacuums can be furthered modified and the issues will be taken care of. Third on the list is the placement of the wells on the map. Casella has no objection to the placement. Have instructed Barton and Loguidice to design the 8 to 10 wells and Casella will go ahead and install them. The last item is the placement of horizontal collectors. Mr. Leone requested this be tabled in order to allow more time to look

into this. Mr. Harvey and Mr. Leone will keep the committee informed on the landfill odor matter as needed.

**Executive Session: At 4:30 p.m. Supervisor Evangelista made a motion, seconded by Supervisor Venuti, to enter into executive session to confer with council on contractual matters, with County staff and Supervisor Vedora to participate. Motion carried unanimously.**

**At 5:58 p.m. Supervisor Evangelista made a motion, seconded by Supervisor Singer, to exit from Executive Session. Motion unanimously carried.**

**Additional Discussion**

**SWMP Objective:** Supervisor Sheppard provided his opinion that the whole thing needs to start with an overall objective which is obviously to reduce the amount of material going in to the landfill. Feels we need to have a unity of effort which is best used by having a unity of command – performance based.

**Adjournment:** There being no further business before the committee, a **motion was made by Supervisor Singer, and seconded Supervisor Venuti, to adjourn. Motion carried.** The July 2, 2014 EQC meeting adjourned at 6:00 p.m.

Respectfully submitted,

*Linda R. Frasca*

Sr. Clerk