

McCombs, Jason

From: McCombs, Jason
Sent: Monday, August 13, 2018 4:31 PM
To: McCombs, Jason
Subject: Austin Resource Recovery Landfill Criteria
Attachments: LCM-Staff-Draft.pdf; LCM-Stakeholder-Draft.pdf

Austin Resource Recovery Landfill Criteria

The [City Council Waste Management Policy Working Group](#) held a series of meetings in 2017 which resulted in a set of eight [recommendations](#). One of the recommendations was a response to the question “should materials be directed to or away from certain landfills in future solicitations?” The response from the working group was: “yes, materials should be directed to or away from certain landfills through the use of a landfill criteria matrix that reflects Council’s environmental priorities.”

Following a public engagement period in the fall of 2017 and a series of facilitated meetings in the spring of 2018, stakeholders developed a landfill criteria matrix.

City of Austin staff began a systematic review of the stakeholder matrix to ensure that any criteria developed was transparent, quantitative, could be used as part of the City procurement process, and reflected the best positive practices of landfill operations.

Overview of revisions made from staff review:

- Removed presence of industrial hazard waste from the criteria and broadened process so that any landfill that had an unsatisfactory ratings from regulatory agencies, court orders, or criminal convictions would be ineligible to received city controlled waste.
- Removed safety criteria that was already a part of existing minimum standards and practices for landfills.
- Modified employee demographic criteria to include presence of existing workforce diversity policies versus demographic breakdown of workforce.
- Eliminated letters of support and opposition as a criteria because it is duplicative of existing public processes.

Based on the above mentioned review, Austin Resource Recovery (ARR) has prepared a staff recommended landfill criteria matrix for consideration and will be accepting public comments on the following documents through August 27, 2018 at 5:00 p.m.

Please find attached:

- 1) Stakeholder Landfill Criteria [Green]; and
- 2) Staff Recommend Landfill Criteria (MSW Disposal) (C&D Disposal) [Blue].

All comments should be e-mailed to: jason.mccombs@austin.texas.gov.

The landfill criteria matrix will be on the agenda for the September 6th [Zero Waste Advisory Commission \(ZWAC\)](#) meeting at City Hall at 6:30 p.m.

Jason McCombs
City of Austin | Austin Resource Recovery | Strategic Initiatives
Email: jason.mccombs@austintexas.gov
Phone: 512/974-2192
austinrecycles.com



August 27, 2018

GREEN GROUP HOLDINGS, LLC
Comments on the Landfill Criteria Matrix Prepared by Austin Resource Recovery (ARR)
and to be presented to the Zero Waste Advisory Commission (ZWAC)

After numerous and productive meetings in the Spring of 2018, Austin Resource Recovery staff, with input from stakeholders, developed a Landfill Criteria Matrix. The intention of the matrix is having criteria that is transparent and objective, and to be used as part of the City's procurement process.

It is of our opinion that the meetings and discussions culminated in a product that is generally acceptable and fair.

GGH/130 EP BACKGROUND: GGH is currently proposing to build 130 Environmental Park, a Greenfield project which will consist of a Type I MSW Landfill, Type V Transfer Station and other facilities for storage and processing of waste materials. The proposed site will be located on a 1,229- acre tract in northern Caldwell County, approximately four miles north of Lockhart and 30 miles south of Austin. On September 6, 2017 TCEQ issued an order for approval of the permit for 130 EP; then on November 13, 2017 TCEQ made the order final.

Alfonso Sifuentes | director of market development
& community relations

asifuentes@gghcorp.com

[REDACTED]

o 770 720 2717

McCombs, Jason

From: Donna Gosh <djshavercpa@gmail.com>
Sent: Monday, August 27, 2018 4:59 PM
To: McCombs, Jason
Subject: RE: Austin Resource Recovery Landfill Criteria

Good afternoon Jason.

After review of the proposed draft prepared by staff, I have no additional suggestions at this time; and I am in support of the staff drafted matrix. Resolution and closure on this item would be beneficial for all involved.

Thank you.

Donna J. Gosh, CPA, CFO



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From: McCombs, Jason <Jason.McCombs@austintexas.gov>
Sent: Monday, August 13, 2018 4:31 PM
To: McCombs, Jason <Jason.McCombs@austintexas.gov>
Subject: Austin Resource Recovery Landfill Criteria

Austin Resource Recovery Landfill Criteria

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McCombs, Jason

From: phil organicsbygosh.com <phil@organicsbygosh.com>
Sent: Monday, August 27, 2018 4:56 PM
To: McCombs, Jason
Subject: Landfill Criteria

Jason,

Appreciate the landfill criteria matrix work. I am in support of the staff drafted matrix and have no suggested revisions. It will be great to have resolution and closure on this item. I encourage moving forward on the draft proposed by staff.

Thank you.

Phil Gosh

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phil@organicsbygosh.com

Central Texas Refuse, Inc.
Response to Austin Resource Recovery's – "Landfill Criteria (MSW Disposal)"
August 24, 2018

As one of Austin and Central Texas' largest independent hauling companies that does not own a landfill or C&D processing facility and having served this region since 1981, Central Texas Refuse respectfully submits the following comments regarding the "Landfill Criteria (MSW Disposal) and Landfill Criteria (C&D Disposal)" drafts presented for comment on 8/13/18.

Our overriding concern continues to be that should the City of Austin decide through some form of decision matrix to exclude City of Austin Municipal Solid Waste from area landfills that do not meet or exceed the criteria, independent third party haulers that do not own a landfill (MSW or C&D) would be ineligible to participate in city waste contracts by virtue of existing contracts under the following scenarios:

- Should a landfill be excluded from accepting the City's MSW, existing contracts between a hauler and the excluded landfill would preclude the hauler from participating in the bid process
- The exclusion of a landfill could result in extended driving distances and impose time constraints to an "acceptable" landfill that would make any attempt to bid cost prohibitive to be considered
- Should multiple landfills fail to meet the criteria, the resulting hauling to landfills geographically displaced from Austin would result in skyrocketing costs.

Modern Landfills are highly engineered and regulated facilities that are sanctioned by the State of Texas to accept MSW, Class 1 and Hazardous Wastes and are necessary to maintain the health, safety and welfare of the population. As a hauler, we comply with all local, state and federal statutes regarding the disposal of the materials we haul and only haul to state approved landfills. It is our position that ANY landfill that meets the permitted criteria of the State of Texas should be eligible to receive MSW and C&D material.

Regarding the MSW Matrix Criteria:

- In the cover letter that accompanied this draft MSW matrix under "Scope of Use" the statement is made - *The City will use the Landfill Scores to develop a list of qualified landfills eligible to receive city-controlled municipal solid waste and city-controlled C&D debris. Landfill scores for the C&D landfill list would include the same criteria as the MSW landfill list except criteria 1a and 1c, which address landfill gas emissions. On each list, landfills with scores within 25 points of the highest scoring landfill would be qualified. An Invitation for Bid (IFB) for these services would restrict bidding to only qualified landfills.*
 - o There are currently only 2 area landfills that are viable to receive C.O.A. MSW, so if a landfill is eliminated this would result in a monopoly by the remaining local landfill companies that also have hauling operations. They would then have an unfair advantage to all other independent haulers in the market, and be in a

position to exclude third party haulers from their site as well as raise tipping fees for the City of Austin and all others who now must use their facility exclusively

- Item 2b. (10 points) is subjective in the point allocation
- Item 3b. (15 points) the definitions of “severe injury and catastrophe” are subjective and at this point value could be punitive for 5 years and would have a material impact on the ability to get within 25 points of the highest score as stated above
- At this point no one knows what the actual scores will be and which landfill(s) will qualify. Again, with only 2 viable area landfill options the chance of creating a monopoly situation regarding City contracts is extremely high.

Regarding the C&D Matrix Criteria:

- The emphasis of the stakeholder meetings was focused on the MSW criteria and never specifically related to C&D Processors
- C&D Processors (outside of TDS, WM and Waste Connections) were not represented and quite frankly the meetings did not include discussions that the C&D processors would be subject to the criteria
- Once again, as an independent hauler without a C&D processing facility we are very concerned that we would not be able to bid on city contracts since all of the C&D processing facilities have their own trucking operations as well and could effectively shut out any independents from their operations once again giving them an unfair advantage and possible monopoly if only one makes the grade



August 24, 2018

To the members of the Zero Waste Advisory Commission of the City of Austin

Waste Management supports a transparent procurement process for solid waste municipal contracts. We continue to believe the City of Austin does not need a landfill criteria matrix for use in their procurement process as the Texas Commission on Environmental Quality (TCEQ) has oversight and stringent requirements for landfill operations across the State of Texas.

The City of Austin has multiple disposal options available that are all TCEQ compliant landfills. Waste Management is committed to continuing our involvement with the Zero Waste Advisory Commission if the City determines it is in its best interest to have a matrix. We have worked with the Advisory Commission and will continue to provide input to their discussions. We understand the "draft" Landfill Criteria Matrix was developed based on feedback received from stakeholders of the City Council Waste Management Policy Working Group in which we were a part. Should the City decide to move forward with this directive, Waste Management agrees with and will abide by the proposed "draft" Landfill Criteria Matrix received on August 13, 2018.

Thank you for the opportunity to voice our opinion.

A handwritten signature in blue ink, appearing to read 'James Smith', with a long horizontal line extending to the right.

James Smith
Area Manager of Disposal Operations
Waste Management of Texas, Inc.