

OAKLAND COUNTY SOLID WASTE PLANNING COMMITTEE

2100 Pontiac Lake Road Waterford, MI 48328

November 21, 2013

Executive Office Building

Waterford Conference Room

1:00 P.M.

SOLID WASTE PLANNING COMMITTEE MEMBERS - PRESENT		
<p><u>Solid Waste Industry</u> Kevin Kendall, Republic Services Mike Csapo, RRRASOC</p>	<p><u>County Government</u> Robert Hoffman, Oakland County Commissioner</p> <p><u>Environmental Interest</u> Jean Gramlich, Sierra Club (SEMG) Amy Mangus, SEMCOG</p>	<p><u>General Public</u> Steve Balagna Mary Ann Ryan</p> <p><u>City Government</u> Claire Galed, Huntington Woods</p> <p><u>Township Government</u> Robert DePalma, Groveland Twp.</p>

Solid Waste Industry
Kevin Kendall, Republic Services
Mike Csapo, RRRASOC

County Government
Robert Hoffman, Oakland County
Commissioner

Environmental Interest
Jean Gramlich, Sierra Club (SEMG)
Amy Mangus, SEMCOG

General Public
Steve Balagna
Mary Ann Ryan

City Government
Claire Galed, Huntington Woods

Township Government
Robert DePalma, Groveland Twp.

SOLID WASTE MEMBERS ABSENT (with notice): John Myers, Steven Percival

OAKLAND COUNTY STAFF PRESENT:

Matt Gibb, Deputy County Executive
Dan Hunter, Deputy Director EDCA
Whitney Calio, EDCA
Jim VerPloeg, Board of Commissioners
Brad Hansen, EDCA
Ahmad Roby, Corporation Counsel
Keith Lermينياux, Corporation Counsel
Jaime Fenner, Admin Assistant, EDCA
Charlotte Burckhardt, EDCA
Bret Rasegan, EDCA

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Others Present:

Mary Pietila, Pontiac City Council
Joe Munem
Richard Manczak
Dennis Cowan
Jeff McKeen
Billie Swazer
Tom Trice
Katie Schlutow
Kermit Williams, Pontiac City Council
Randy Carter, Pontiac City Council
Patrice Waterman, City Council President Pro Tem
Doris Taylor
John Taddmio
Claudia Fuller
Brad Warren
Bill Stubblebine
Don Green
Chuck Rizzo
Leon Jukowski, Mayor

City of Pontiac
Rizzo Environmental Services
Varnum LLP
Plunkett Cooney
SOCRRA
Citizen, City of Pontiac
Bloomfield Twp
Bloomfield Twp
City of Pontiac
City of Pontiac
City of Pontiac
City of Pontiac
ADS
Citizen, City of Pontiac
Advanced Disposal
Advanced Disposal
Milford Twp.
Rizzo Environmental Services
City of Pontiac

The meeting was called to order by Commissioner Robert Hoffman at 1:05 pm.

REVIEW AND APPROVAL OF MINUTES - November 14, 2013 meeting

- Correction to Claire Galed's last name spelled incorrectly
- Mr. Kendall made comments at the November 14 meeting that were not included in the meetings minutes. Mr. Kendall requested that the following comments be included:
 - Are there legal issues related to Pontiac entering into a host community agreement with Rizzo as they already have an agreement with Advanced Disposal
 - What is the capacity of the Brent Run Landfill

Meeting minutes approved from November 14, 2013 meeting, as amended.

Moved by Robert DePalma; supported by Steven Balagna. All in favor. Motion carries.

INTRODUCTIONS

Mr. Hoffman greeted committee members and led introductions.

APPROVAL OF AGENDA.

Moved by Mr. Balagna, supported by Ms. Mangus. All in favor. Motion carries.

SOLID WASTE PLAN UPDATE MODIFICATION OF REQUEST TO AMEND THE COUNTY SOLID WASTE MANAGEMENT PLAN PRESENTED BY RIZZO SERVICES

Rizzo Environmental Services gave a PowerPoint presentation on how their proposal aligns with State of Michigan goals and also the goals of the Oakland County Solid Waste Management Plan. Items highlighted included:

- Preserves capacity / reduces use of landfill space.
- Collecting recyclable materials before going to landfill
- Furthers Brownfield policy - reusing a former industrial facility and avoids construction in green space.
- Reference to 2007 Michigan Solid Waste Policy
- Long-term costs & benefits, creating systems to reduce waste generation and better capitalize on economic opportunities (job creation, energy savings, production and healthier environment)
- Stating Michigan should identify and remedy regulatory inconsistencies and barriers to the development of waste utilization infrastructure.
- Identify local and statewide opportunities for improvement in waste utilization capacity
- Ensure solid wastes are source separated so imbedded resources may easily be collected, processed and recovered
- Achieve reduction in percentage of solid wastes destined for either incineration and/or landfilling of at least 30% through source reduction, reuse, recycling and composting

BOARD MEMBER COMMENTS

- Mr. Csapo to Chuck Rizzo– Design capacity of Transfer Station and Recycle Center how many tons per hour / day?
Rizzo response:
 - Transfer Station – 400-600 tons/day
 - Recycling – 3000-4000 tons/month

- Mr. Csapo – Any impact on Royal Oak Recycling.
Rizzo Response: Synergies – Royal Oak Recycling currently at capacity.
- Mr. Csapo - \$7 million investment seems low, does this include Recycling Facility
Rizzo Response: Includes the Site, Transfer Station and Recycling facility
- Mr. Csapo – In discussion with Detroit, do you anticipate Solid Waste / Recycling from Detroit to come to Pontiac for processing, and if so at what frequency?
Rizzo response: Initially no, maybe down the road. It is too soon to know if at all, we would bring to Pontiac. Recycling program in Detroit will be able to have 65-gallon recycling containers.
- Jean Gramlich a lot of assumptions being made about the site – that it is contaminated and no one will do anything else with it. Risk of toxins present and possibility of them getting into the groundwater?
Mr. Manczak and Mr. Cowan described the EPA/DEQ/RACER Trust considerations; Rizzo is responsible for above grade contamination only
- Jean Gramlich – Special waste- what is it? And do we have any concerns?
Rizzo response: Sludge / auto fluff
- Steven Balagna – Makes reference to the new facility description sheets and asks if those will replace the sheets in the original proposal
Rizzo response: yes
- Jean Gramlich - Looking at the facility descriptions and the capacity of 1,750 tons per day, do we need this capacity? What are the other facilities, do they have available capacity?
Dennis Cowan explains most haulers have their own facilities; Chuck Rizzo points out that most don't have recycling pulled out. No other option to contract with an existing facility and pull out the recycling.
- Steven Balagna – Last meeting asked about the degree of support from Pontiac Council and public comment.
- Kevin Kendall – Can Pontiac have 2 host community agreements? What about legal issues? Also, what is capacity of Brent Run Landfill? Did they get their expansion approved?
Dennis Cowan – They are 2 different types of agreements. The Rizzo agreement is not to collect trash from Pontiac. Chuck Rizzo – Brent Run is in final process of expansion so there will be capacity and he has pricing for the next 12 years.
- Mary Ann Ryan – Where is Brent Run Landfill in Genesee County? How many acres?
Rizzo – not far from Birch Run, on a few hundred acres.
- Claire Galed – Committee should be looking at the whole plan, and the benefits to the county. Advised that the committee go back and evaluate the entire plan.

Public Comment on proposal.

- 2014 Pontiac Councilpersons in attendance (5)

- Mary Pietila clarified from previous meeting comments that calls do not go to the Mayor's office but to her office.
- Mayor Jukowski - talked with Advanced and wants to maintain relationship. Doesn't see legal issues with having agreements with Advanced Disposal and Rizzo.
- Randy Carter – Act 321.114 What are we operating under? Question about Traxys project. Also, does the daily capacity cap stay with the property if it is sold?
 Dan Hunter – Addressed the history of the Traxys (power plant) project.
 Clarification was made that the power plant is not on 38 the acres site under consideration.

 Steven Balagna – Clarified that the tonnage cap stays with the facility, and would be considered for increase only by coming back to the committee.
- Patrice Waterman, President Pro Tem-Is there a cap on what can be brought in? - **Yes.** It was my understanding that this was only Oakland County, will you be bringing trash in from Detroit?
 Rizzo response: No we will not.
- Mary Ann Ryan - question directed to Pontiac Council - Do you feel you have enough time if we have a 90 day hearing process? How do you feel about that?
 Discussion took place with the understanding that the 90 day comment period would be sufficient time.
- Pro Tem Waterman – Where would the meetings be held? City of Pontiac, various communities, will the city of Pontiac be notified as to where the hearing will be held.
 Yes, notice will be published, and those in attendance will be on the notification list.
- Richard Manczak - We need to get procedure going, need to make recommendation to amend plan, citizens of Oakland county have a 90 day comment period, including a public hearing, afterwards if a recommendation is made by the committee and upon approval of the Oakland County Board of Commissioners, all 61 communities will consider the amendment. Supporting resolutions from 2/3 of all Oakland County communities are required for the amendment to be forwarded to the DEQ for final approval.
- Claudia Filler - expressed concerns on where the location is and access to trucks coming in / out on Baldwin Road business and homes. Suggested that elected officials visit a facility to see what they are like.
- Doris Taylor – Said she walked part of the property. Hears concerns about trucks driving down this/that street. When the automotive facilities were there, along with the trucks, she heard few complaints. Feels the project would be a great asset to total city.
- Billie Swayer – Pontiac wants public hearing and normal procedure.
- MaryAnn Ryan – Asked if Pontiac would like to hold a public hearing prior to the 90 day period. Does the city need more time?
 Discussion took place with the understanding that the 90 day comment period would be sufficient time.

- Mike Csapo- referencing the September 13, 2013 guidance document from DEQ
(1) plan amendment approval occurs prior to 90 day period and also after the 90 day period
(2) Applicant is also proposing a 60,000 sq. ft. existing building retro fit that does not require committee approval.
- Mike Csapo – Cites Part 115 Admin rules 299.4707 10/20/05 sec. 3 Review. MDEQ / Approved by S.W. committee. Also still has issue with terms / language used in that it is not consistent with the terms used in the law.
- Steven Balagna – Distributed a proposed revised resolution based on what the county had drafted, it's not to approve the facility; it's to start the 90 day period.
- Commissioner Hoffman – we need to vote on 90 day period, so we can get comments from other communities. Also in question since the committee is short 3 members can we pass with a majority (8 of 14 members).
- Keith Lerminiaux, Corporation Counsel – Our recommendations is that 14 members should be appointed to the committee before you can approve the plan amendment.
- Steve Balagna / Commissioner Hoffman – agreed that a full committee is needed to approve the amendment.
- Matt Gibb – Agreed with Corporation Counsel and the need for the 14 member committee to approve the plan amendment. It was discussed whether or not a majority of the current committee members could approve the process moving into the public comment period. The current state approved solid waste plan was referenced, including the adopted rules that indicate a simple majority of those present is necessary for procedural resolutions. It was recommended that the applicant decide if they would like to proceed at this time.
- Robert DePalma – Stressed the purpose of the 90 day period is to gather public comment.
- Commissioner Hoffman – Asked if there was a motion to accept the resolution as revised.

Motion to accept new resolution: Moved by Balagna. Supported by Mangus.

- Dennis Cowan – the applicant understands the risk, but urges the committee to move forward and authorize this procedural step. Also requested if the resolution could be sent to MDEQ for comment.
- Forwarding the resolution to MDEQ was included in the motion.
- Motion to approve the resolution passed on a roll call vote:

Yeas: Balagna, Csapo, DePalma, Gramlich, Hoffman, Mangus, Ryan

Nays: Galed and Kendall

- Mike Csapo – Discussed the economic value of recycling and waste management and encouraged more robust solid waste planning. Would like to see the county to engage in this, starting with a full plan update.

ADJOURNMENT:

Commissioner Robert Hoffman adjourned the meeting at 2:43 P.M.

Deputy Clerk