

CITIZEN'S ADVISORY BOARD

Cherry Island Landfill

April 15, 2013

Notes (Revised)

The April 15, 2013 meeting of the Citizen's Advisory Board (CAB) convened at 5:10 p.m. at the Conference Room of the Cherry Island Landfill, 1706 E. 12th Street, Wilmington.

Attendees:

CAB

Thomas Noyes
Vince D'Annna
Anthony deFiore
Leonard Sophrin

DSWA

Richard Watson
Michael Parkowski
Robin Roddy
Angela Marconi
Uriel Rodriguez

DNREC

Nancy Marker
Robert Hartman

Introductions/Welcome/Contact Information

Two new members were introduced and welcomed to the CAB. Mr. Anthony deFiore, appointed by New Castle County President, Chris Bullock and Leonard Sophrin appointed by Wilmington Mayor's Office, Mayor Dennis Williams.

As CAB Vice Chairman, Mr. Thomas Noyes announced himself as Acting Chairman for the April 15, 2013 CAB.

Department of Natural Resources and Environmental Control (DNREC) update

Mr. Hartman presented DNREC's update on their activities at Cherry Island Landfill (see attached).

Mr. Hartman reported two (2) odor complaints concerning Cherry Island Landfill (CIL) described as a 'trash odor'. Both complaints were received by DNREC on January 29, one on Pyles Lane and the other on Harrisburg Avenue. Mr. Hartman noted that the complaints were not verified. Mr. Hartman mentioned that the odors could have been from Wilmington Organics Recycling Center (WORC), considering that there have been recent odor complaints about that facility.

Ms. Roddy explained that there are two (2) potential sources of odors from the landfill, the actual waste and the landfill gas (lfg) that is generated as the waste decomposes. Odors

traveling off site from active waste placement are not likely. She further explained that the best method of controlling lfg odors is through an efficient lfg collection system. Ms. Roddy explained that the Cherry Island lfg system collects gas efficiently through an extraction system and currently, the lfg is either piped to Croda (at Atlas Point) for combined heat and power generation or managed by burning the lfg with flares.

Mr. Hartman also reported that two (2) fires occurred at CIL since the last meeting. On January 23 DSWA reported that smoke was observed coming out of a lfg flare stack. DSWA called 911 and the Wilmington Fire Department responded. Flare A suffered damage and is currently not operational until its repairs are complete. Flare B is currently in use.

Ms. Marconi explained that it is possible that odors could potentially occur if Flare B goes out of service; however, she is working with Croda to accept as much gas as possible and is prepared to rent a temporary flare if necessary. She informed the CAB that Flare A should be repaired by mid-May.

Mr. Hartman reported that the 2nd fire occurred on January 28 while cutting grass. The fire was extinguished with water and soil. No damages or injuries occurred.

Mr. Hartman reported that the current CIL operating permit, SW-06/01, is in the process of being modified. The DRAFT modification to the permit reduces the CAB meeting frequency from four (4) times per year to three (3) times per year, as requested by the CAB. The modification also eliminates the requirement for the CAB members to live within 5 miles of the landfill. The DRAFT modification also includes other changes such as increased stormwater monitoring frequency and modifications to the geotechnical monitoring plan.

DNREC has received three (3) requests for a hearing regarding these modifications. DNREC is in the process of scheduling the hearing.

Mr. Sophrin asked who proposed the changes in the meeting frequency and asked the reason for the residency requirement change.

Mr. Noyes reported that the CAB proposed the meeting frequency change and voted on it.

Mr. Parkowski explained that the CAB requested the proposed changes, not DSWA. Mr. Parkowski also stated that the CAB Charter was adopted by the original CAB and does not match the permit regarding the residency requirement. The Charter states that the members shall be residents of New Castle County living above the Chesapeake and Delaware Canal.

The CAB further discussed the CAB meeting frequency and residency requirement.

Mr. D'Anna informed the new CAB members that the primary reason for the meeting frequency modification was due to the lack of attendance and inability to have a quorum at the meetings. He also expressed the fact that the CAB had already discussed many CIL

issues at length, and felt that four (4) meetings per year were not necessary at this point because there were not any problems with CIL.

Ms. Marker explained the public hearing process. Mr. Hartman then explained that he had attempted to contact the citizens that requested the hearing, by telephone and by email, to discuss the proposed permit changes with them

Mr. D'Anna inquired about recent violations at the WORC facility.

Ms. Marker responded that enforcement action was recently taken. She stated that one of the violations was related to the amount of material that was stored on site.

Mr. Sophrin inquired about the Delaware Recyclable Products Inc. (DRPI) facility and their permit requirements, specifically their height restrictions, as compared to CIL.

Ms. Marker responded that the DRPI's Permit is different and explained that they are a private construction and demolition debris (C&D) landfill. Ms. Marker further explained that the DRPI does have an operating permit and limitations to their cell growth. She indicated that she would review their permit conditions and confirm the height limitation.

Mr. Sophrin asked how much of the waste going to the DRPI would come to CIL if the DRPI did not exist.

Mr. Parkowski estimated that approximately 25,000 tons of waste could potentially come to CIL if the DRPI did not exist.

The CAB inquired about DSWA's bond rating.

Mr. Watson explained that Moody's bond rating was and continues to be A2, but just recently has been given a negative outlook. Mr. Watson further explained to the CAB that the negative outlook was based upon a decreasing amount of excess net revenue due to a decreasing amount of tons of waste received. DSWA expects to continue to perform higher than budgeted (debt coverage ratio) into the future.

CIL Update

DSWA LFG Generation

Ms. Roddy explained that CIL is currently generating approximately 4,000 scfm of lfg. The lfg is currently transmitted to Croda in New Castle, DE for combined heat and power. CIL's renewable energy Contractor is Cummins. Cummins will likely have multiple end users for the lfg in the future, including the City of Wilmington (COW). The COW will use CIL lfg in their future sludge drying process.

Ms. Roddy explained that DSWA's two (2) other landfills have renewable energy projects and use lfg to generate electricity. These projects are operated by Ameresco. Ms. Roddy distributed a summary sheet detailing lfg collection and renewable energy conversions for DSWA's three (3) landfills.

Mr. Sophrin asked if both Cummins and Ameresco are selling the renewable energy credits themselves and how much lfg is being beneficially used.

Ms. Roddy confirmed that Cummins and Ameresco are selling the renewable energy credits themselves and explained that approximately 80% of the lfg collected is being beneficially used.

Landfill Capacity

Ms. Roddy explained that CIL opened in 1985. DSWA recently constructed a landfill expansion that provides 40,000,000 cubic yards of additional landfill capacity. The CIL volume consumption rate for the previous 24 months was 500,000 cubic yards per year, which includes both waste and cover. Therefore, the remaining life is approximately 80 years.

Mr. Sophrin inquired about the waste composition at CIL.

Mr. Parkowski explained that DSWA has a very detailed waste characterization report that represents four (4) seasons and involved hand-sorting and weighing over fifty (50) different categories of waste materials. DSWA uses this report as a planning tool and will provide a copy to the CAB.

Permit Modification

The CAB discussed the pending permit modification and the proposed modifications to the CAB meeting frequency and residency requirements. Members also discussed the original CAB charter and its potential conflict with the Permit.

Mr. Sophrin expressed his interest in becoming more familiar with the proposed Permit modifications prior to the Public Hearing.

Mr. D'Anna then made a motion to remain with the original Permit language to hold four (4) meetings per year. The motion was second by Mr. Sophrin and unanimously approved by the CAB.

Mr. Noyes asked if anyone was interested in making a motion to change the Charter to conclude a 5 mile provision. There was no response, so Mr. Noyes announced that the Charter stands.

Mr. Noyes requested a summary of the other Permit modifications be provided to the Board before the hearing and that a conference call to discuss the modifications be held.

Next Meeting

Mr. Noyes announced that the next meeting will be scheduled for Monday, July 8, 2013 at 5:00 p.m. Location of meeting to be determined.

Meeting adjourned at approximately 7:15 p.m.

DSWA Cherry Island Landfill Summary for the Citizens Advisory Board
Prepared by Robert Hartman, DNREC Solid & Hazardous Waste Management Section
April 15, 2013

1. During the 4th quarter of 2012, there were no odor complaints received by the DNREC concerning the DSWA Cherry Island Landfill (CIL). The DNREC logged only two odor complaints for the CIL during all of 2012. During the 1st quarter of 2013, there were two odor complaints received, both on January 29th. Both callers (one on Pyles Lane and one on Harrisburg Ave) reported a trash odor, and believed that to be coming from the CIL.
2. In February 2013, DNREC completed the initial review of the construction quality assurance report for the completed landfill expansion project and provided comments to the DSWA. The report is intended to certify that the landfill expansion was constructed in accordance with the permit requirements.
3. There were no fires reported at the CIL during the 4th quarter of 2012; however, there were two fires reported at CIL during the 1st quarter of 2013.
 - a. DSWA shut-down Flare A on January 23, 2013 after smoke was observed coming out of the landfill gas flare stack. Staff contacted 911 and the Wilmington Fire Department responded. Subsequent investigation revealed that the flame arrestor had functioned as designed to contain the fire within the landfill gas flare system. Flare A suffered damage to the landfill gas intake line and to the fiberglass mixing chamber. DSWA is working to repair the damaged flare, and is relying on Flare B until that repair is completed.
 - b. On March 28, 2013, DSWA reported smoke coming from grass cutting activity on Phase 2 of the landfill. The fire was contained within a small area around the tractor mower on an inactive, vegetated portion of the landfill. The fire did not involve landfill waste. DSWA operations staff responded to the fire, smothering it with soil and hosing the area down with water. There were no damages reported.
4. There were no prohibited wastes reported as received at the landfill during the preceding two quarters (4th 2012 and 1st 2013).
5. Since the previous CIL Summary for the CAB, DNREC staff continued to inspect the facility and 12th Street for odor, litter and dust. According to our on-site inspections, DSWA has been controlling odor, litter and dust both on site and off in accordance with the conditions of their solid waste facility permit.
6. DSWA remains in compliance with the conditions of the Yard Waste Ban.
7. The Solid & Hazardous Waste Management Section has drafted a proposed modification to Permit SW-00/01. The draft modification includes the change to CAB meeting frequency, requested by the CIL Citizens Advisory Board. The draft modification also relaxes the requirement for CAB members to live within five miles of the CIL. The SHWMS provided public notice of this proposed modification on February 13th and received three requests from the public for a hearing. We are in the process of scheduling that hearing.

Note Added 4/16/13: Regarding item 1 above, in December 2012, there was one odor complaint called-in directly to DSWA from Salem County NJ. The DSWA investigated and found no CIL odors off-site after receiving the complaint. That complaint raises the total number of CIL odor complaints during 2012 to three.