

# CITIZEN'S ADVISORY BOARD

Cherry Island Landfill

April 4, 2016

## Notes

The April 4, 2016 meeting of the Citizen's Advisory Board (CAB) convened at approximately 5:17 p.m. at the Cherry Island Landfill (CIL), 1706 E. 12<sup>th</sup> Street, Wilmington.

Attendees:

### CAB

Vince D'Anna  
Anthony DeFiore  
James E. Parker II  
Sandra Smithers

### DSWA

Jason Munyan  
Uriel Mendonça

### DNREC

Jason Sunde  
Brad Richardson  
Mark Lyon

### ***Department of Natural Resources and Environmental Control (DNREC) Update***

Mr. Richardson presented DNREC's update on their activities at CIL.

Mr. Richardson reported that there were no odor complaints, no fires or prohibited waste reported for the 1st quarter of 2016. DSWA issued no citations for yard waste during the quarter.

Mr. Richardson stated DSWA is currently in the process of renewing the Cherry Island Landfill's Operating Permit. DNREC reviewed the Application and on February 29, issued comments to DSWA. DNREC expects to receive a response to the comments and a revised application within the next few weeks. Once the Permit Application is deemed administratively complete, DNREC has sixty (60) days to issue a public notice announcing the application's availability for fifteen (15) days public review. It probably will not be sixty (60) days, it will probably be less than that. A public hearing on the application will be held when the Secretary of DNREC receives a meritorious request for a hearing or if the Secretary deems the hearing is in the best interest of the State. The existing permit expiration date is currently set for 9/30/16.

Mr. D'Anna inquired if it goes on the DNREC webpage?

Mr. Richardson confirmed that it does go on the webpage.

Ms. Smithers inquired if it was possible to add names to the notification list so that people from communities and surrounding civic associations that this may impact are made aware?

Mr. Richardson expressed that a notice will be sent to everyone on the CAB and that if names are provided of anyone else the CAB would like notified then we will make sure that happens.

Mr. Parker provided a list of nearby community and civic association leaders for DNREC to notify.

Mr. Richardson continued to explain that the extended expiration date was based on the anticipated timeline necessary to finish the application process. If the existing permit does need to be extended again, it will be in accordance with the Delaware regulations. Mr. Richardson went on to state, during the previous CAB meeting, the Board made a motion to reduce the number of mandated CAB meetings to semiannually. The vote was made and the motion was approved. Mr. Richardson distributed draft permit language addressing the CAB's request.

The CAB reviewed, discussed and voted to approve DRNEC's draft permit language pertaining to the CAB meeting frequency.

**Motion** – moved by Mr. Parker

“The Board accepts the proposed language by DNREC to be incorporated in the new CIL Permit.”

**Second** – Mr. DeFiore

Mr. D'Anna	Yes
Mr. DeFiore	Yes
Mr. Parker, II	Yes
Ms. Smithers	Yes

**Motion Adopted**

(4 Yes, 0 No, 3 Absent)

Mr. Richardson explained that if the new language is incorporated the CAB will eventually have to redraft the Charter and bring it into agreement with the permit language. However, this can happen after a new permit is issued.

Mr. D'Anna requested Mr. Richardson reiterate the timeline of the Permit renewal.

Mr. Richardson responded that if there's a hearing it will probably be in June or July and if everything goes smoothly, there should be a new permit by September.

Mr. Richardson continued the update. DSWA has been working on sedimentation and erosion control with the technical assistance of the Division of Watershed and Stewardship. They seem to be making strides with controlling erosion and sedimentation, with Mark Lyon onsite full time, as our eyes and ears monitoring the situation daily, as well as monitoring daily operations.

In conclusion, according to our onsite inspection, DSWA has controlled odors, litter and dust both onsite and offsite in accordance with the conditions of the Solid Waste Permit.

### ***CIL Update***

Mr. Munyan reported that as Brad indicated, we had no fires or violations within the quarter. Additionally during the first quarter, the Clean Earth of Philadelphia alternate daily cover (ADC) approval letter was updated.

Mr. D'Anna inquired what is Clean Earth?

Mr. Munyan responded it is the treated soil that we use at CIL for covering. It goes through a process to remove constituents such as hydro carbons. Clean Earth has been used as alternate daily cover (ADC) at CIL for over 15 years. The Philadelphia site that supplies it had what is referred to as a BUD (beneficial use determination) approval, which was expiring. Because the ADC approval letter referenced their BUD, the approval therefore became null and void and needed to be renewed.

Mr. D'Anna inquired if this BUD is a Delaware BUD?

Mr. Munyan responded that the BUD was issued by DNREC. He also stated that we did receive the revised ADC letter but had a few comments so we are currently working out the details.

Mr. D'Anna inquired if you use that soil and is it cheaper?

Mr. Munyan responded that we do use the soil, we have been using it for about 15 years now and we actually get paid a small amount to accept it for use. The soil is typically considered cleaned up from impacted sites and it is better for their customers for the treated soil to be placed on a site where it is contained as opposed to filling in somebody's basement or their yard.

Ms. Smithers inquired as to who treats the soil?

Mr. Munyan responded that Clean Earth treats the soil. There's one site in New Castle, DE and one in Philadelphia.

Mr. Munyan continued that the Cherry Island Permit Renewal Application was submitted to DNREC. DNREC had eighteen (18) comments, mostly minor requests for additional information. We are currently working on getting that back to DNREC within the next few weeks. Aside from that we're continuing to work on stormwater and erosion control around the site. We're not finished with all the desired improvements yet but we are making progress. We are working with DNREC stormwater branch to enhance the stormwater control system at CIL.

Lastly Mr. Munyan stated that he would no longer be the CIL facility manager and that the new Facility Manager is Lynsey Kocenko. Unfortunately she had prior commitments before taking the position so she was not able to attend tonight's meeting. She did manage the Central site for DSWA for the last two (2) years. She has been an engineer with DSWA for approximately ten (10) years prior to that. She does have experience at CIL and was the DSWA project manager on the construction of the CIL expansion project, so she is familiar with the site and familiar with running a facility, but she will be new to the Board. She will be able to attend the next meeting. Mr. Munyan indicated that he has transitioned to the Manager of Engineering position based out of the Dover office.

Mr. D'Anna inquired as to where DSWA is with the natural gas and the Waste Water Treatment Plant (WWTP)? Who's taking the gas now and are they taking it all?

Mr. Munyan explained that CRODA is taking the gas now. They're taking what they can right now but unfortunately they cannot take all of our gas.

Mr. D'Anna inquired as to what happens when the WWTP comes online and how are they progressing with that? Will you be flaring gas at that point?

Mr. Munyan responded that will probably still be some minimal flaring but our goal is to have as much gas to end users as possible.

Mr. D'Anna inquired as to what is the WWTP going to do with their sludge are they going to create a soil?

Mr. Munyan responded I believe their goal is to create a Class A, which means it could be spread on fields. Mr. Munyan stated that he believes the City of Wilmington would prefer to beneficially use the material rather than landfill it.

Ms. Smithers inquired if DNREC has anything to do with the River's Edge Development from the port?

Mr. Richardson replied no.

Mr. DeFiore inquired if the next CAB meeting is scheduled 7/11/16 will you let us know if there's a public hearing scheduled before that?

Mr. Richardson replied that he will.

***Next Meeting***

The next meeting is scheduled for Monday, 7/11/16 at 5:00 p.m. at CIL

Meeting adjourned at approximately 5:52 p.m.

**DSWA Cherry Island Landfill Summary for the Citizens Advisory Board**  
**Prepared by Brad Richardson, DNREC Solid & Hazardous Waste Management Section**  
**April 4, 2016**

1. During the 1<sup>st</sup> quarter of 2016 and the preceding two calendar years, DSWA has recorded no complaints in their Odor Complaints Log for Cherry Island Landfill. The last odor complaint was reported in 2013.
2. There were no fires reported at CIL during the 1<sup>st</sup> quarter of 2016.
3. No prohibited wastes were reported as received at the landfill during the 1<sup>st</sup> quarter of 2016.
4. During the 1<sup>st</sup> quarter of 2016, DSWA issued no citations for yard waste at the working face.
5. DSWA is currently in the process of renewing Cherry Island Landfill's permit to operate. As such, the Department reviewed the CIL Permit Renewal Application and submitted comments to DSWA on February 29<sup>th</sup>. The Department expects to receive the next draft of the Application from DSWA shortly. Once the Permit Application is deemed "administratively complete", the Department has 60-days to issue a public notice announcing the Application's availability for the 15-day public review. A Public Hearing on the Application will held when the Secretary of DNREC receives a meritorious request for a hearing, or if the Secretary deems a hearing is in the best interest of the State. The existing permit's expiration date received an extension until **September 30, 2016**.

The extended expiration date of September 30, 2016 was based on a timeline to capture the necessary time required to finish the permit renewal process. If another extension is deemed necessary, it's may be granted in accordance with Section 4.1.6 of the *Delaware Regulation Governing Solid Waste*.

6. During the previous CAB meeting, on January 11, 2016, the board sought to reduce the number of mandated CAB meeting. Since the CAB itself and the meeting frequency was initially established in the 2006 CIL Permit, it was determined that the board could request that the CIL Permit be modified allowing a reduction in the frequency of the CAB meetings. Therefore, the following motion was made and seconded: "The Board requested the CIL Permit be amended to have a minimum of two (2) meetings per year". The motion passed: 4-Yes; 0-No; 2-Absent.

In light of this vote, draft language is proposed for the inclusion into the renewed CIL Permit (see "red-lined" draft). The CAB, DSWA and DNREC may want to discuss this language now. If consensus on the proposed Permit language can be reached, the CAB may wish to vote on a motion to accept this language. The CAB should be made aware that any change of language in the permit may be a topic of serious discussion at the Public Hearing and, therefore, subject to change.

Additionally, the CAB will eventually have to re-draft their Charter to bring it into agreement with the permit language. This can happen after adoption of the renewed permit.

7. DSWA has been working on sedimentation and erosion problems on the landfill. With the technical assistance of the Division of Watershed Stewardship, DSWA is making strides to control erosion and sedimentation. With Mark Lyon on-site full time, DNREC has been monitoring this situation on a continual basis as well as the other daily operations.
8. According to our on-site inspections during the 1<sup>st</sup> quarter of 2016, DSWA has controlled odors, litter and dust both on site and off in accordance with the conditions of their solid waste facility permit.