

RSWA BOARD OF DIRECTORS
Minutes of Regular Meeting
February 23, 2004

A regular meeting of the Rivanna Solid Waste Authority (RSWA) Board of Directors was held on Monday, February 23, 2004 at 4:00 p.m., in the Conference Room, Administration Building, 695 Moores Creek Lane, Charlottesville, Virginia.

Board members present: Mr. Michael Gaffney – Presiding, Mr. Mark Graham, Mrs. Judith Mueller, Mr. Gary O’Connell and Mr. Robert Tucker.

Authority staff present: Ms. Anne Bedarf, Mr. Bruce Edmonds, Ms. Jennifer Whitaker, Mr. Bob Wichser, Mr. Lonnie Wood, and Mrs. Mary Knowles.

Also present: Mr. Gerry Kirkpatrick and Mr. Philip McKalips – Consultants from Environmental Standards, Inc., Mr. Kurt Krueger – RSWA Attorney, members of the public and media representatives.

1.0 Call To Order

The regular meeting of the RSWA Board of Directors was called to order by Mr. Michael Gaffney on Monday, February 23, 2004 at 4:00 p.m., and a quorum was present.

2.0 Minutes Of Previous Meeting

Upon a motion by Mr. Tucker, and seconded by Mrs. Mueller, the Board of Directors by a 5 – 0 vote approved the minutes of the regular Board meeting held on Monday, January 26, 2004.

3.0 Items From The Public

There were no items from the public.

4.0 Consent Agenda

Mr. Gaffney asked if there were any items that the Board members would like to pull for discussion from the Consent Agenda.

- 4a) Staff Report on Finance
- 4b) Ivy Landfill/Transfer Station Report
- 4c) McIntire Road Recycling Center/Paper Sort Recycling Operations Manager’s Report

In regards to **Item 4a), Staff Report on Finance**, Mr. Tucker noted that the report summary included a statement that the Authority would again need funds from the two localities next month, and he inquired as to the estimated amount of this funding request. Mr. Wood replied that it was difficult to estimate this figure as expenses

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related to the Cell 2 (unlined) closure from now until the end of the current fiscal year are uncertain at this time. He further stated that he felt \$500,000 would hopefully cover the projected deficit.

Upon a motion by Mr. Tucker, and seconded by Mr. O'Connell, the Board of Directors by a 5 – 0 vote approved Items 4a), b) and c) of the Consent Agenda.

5.0 Other Business

In regards to **Item 5a) Approved Minutes of January 13, 2004 Citizens Advisory Committee Meeting**, no Board action was required. Mr. Wood stated that Mr. Chris Gensic, Chair of the Citizens Advisory Committee, had planned to attend today's meeting, but due to his schedule, Mr. Gensic needed to leave before the start of the meeting.

In regards to **Item 5b), Environmental Status Report and 10-year Plan**, Ms. Bedarf stated that she would be highlighting some of the items in her status report and Mr. Gerry Kirkpatrick and Mr. Philip McKalips, consultants from Environmental Standards, Inc., were also in attendance to present the 10-year plan for the Ivy site.

She reported that RSWA submitted its Corrective Action Plan (CAP) to the Virginia Department of Environmental Quality (DEQ) in December 2003. She further stated that a phased approach is being proposed in the CAP, which included details on a Pilot Study to implement remedial action in the area of MW-17. She added that the CAP is currently undergoing management review at DEQ. Ms. Bedarf commented that discussions would be needed with DEQ to address permitting issues dealing with the Pilot Study concept.

Ms. Bedarf noted a correction to the timeline, which is located on page 3 of her report. She stated that April 15, 2006 listed under the "Earliest Possible Beginning" column for the Pilot Study element is incorrect. She pointed out that this date is actually the "earliest possible completion" date. Ms. Bedarf further stated that RWSA is hopeful to begin this work as soon as the CAP has been approved by DEQ.

Ms. Bedarf also reported that full-scale remediation at the Ivy site is scheduled to begin in October 2007. She stated that it is anticipated that the enhanced bioremediation technology will assist with bringing the groundwater in the MW-17 area into Groundwater Protection Standards (GPS) compliance prior to site-wide deployment.

Ms. Bedarf stated that groundwater monitoring continues on a semi-annual basis. She further stated that the Fall 2003 results are summarized in her report, and the findings are not significantly different from the Spring 2003 monitoring event. She added that the special nature and extent wells for barium monitoring continue to be sampled.

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Ms. Bedarf noted that at the last sampling, barium was found in concentrations below the GPS. Ms. Bedarf commented that the consultants would discuss barium monitoring in further detail during their presentation.

Ms. Bedarf further stated that the Paint Pit Addendum should be finalized by the end of the month. She reported that this task was undertaken in response to public concern and added that RSWA hopes to present its findings during the CAP meeting with DEQ. Ms. Bedarf added that the results from the Pilot Study would guide RSWA on the process for remediating the entire landfill, including the Paint Pit area.

She then asked Mr. Gerry Kirkpatrick, consultant from Environmental Standards, Inc., to come forward at this time and present the 10-year plan for the Ivy site.

Mr. Kirkpatrick distributed copies of a PowerPoint presentation, which summarized his report. He first thanked the Board for its trust and support during the past two years his organization has worked on this project. He explained that he would be reviewing the work that has been done up to the present time, describe the short- and long-term pending activities and then answer questions on any of the material.

Mr. Kirkpatrick briefly summarized the major accomplishments of 2003, which included the following:

- Completion of the ACM.
- Completed successful Lab Study on *in-situ* Engineered, Enhanced Bioremediation.
- Initiated Barium Nature and Extent Study (NES) due to Barium concentrations in exceedance of the GPS.
- Continued Paint Pit evaluation.
- Evaluation of air quality and gas system operations by Malcolm Pirnie, Inc.
- Completing Cell 2 Closure.
- Conducted routine monitoring.
- Evaluated Peacock Hill Water Quality.

Mr. Kirkpatrick then described the activities for the remainder of FY 2004. He stated that Malcolm Pirnie, Inc. would be finalizing the supplemental Paint Pit investigation. He further stated that the problematic aspect of negotiating and finalizing the CAP is whether the permit will be successfully amended prior to the implementation of the Pilot Study or if another permit will need to be issued for full-scale remediation at the site. Mr. Kirkpatrick added that the barium NES would continue and semi-annual compliance/sentinel well monitoring would occur. He commented that as part of the update of the facility Operations and Maintenance Plan, there would be an evaluation of the on-site water use and water distribution.

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Mr. Kirkpatrick then reported on the FY 2005 projects. He stated that the most important non-recurring activities were finalization of the CAP, if not completed during FY 2004, and the initiation of groundwater remediation near MW-17 (Pilot Scale Study). He further stated that completion of the aerial survey and the barium NES would also occur during FY 2005. Mr. Kirkpatrick added that Malcolm Pirnie, Inc. would conduct the Ivy Financial Assurance Study. He also pointed out that recurring tasks would include the continued operation of the western pump and treat system, semi-annual groundwater monitoring and reporting, ambient air/gas system maintenance and special studies and reports.

Mr. Kirkpatrick noted that FY 2006 through FY 2009 is the scheduled time frame for implementing full-scale remediation of groundwater, depending upon the success of the Pilot Study. He then described the bioremediation process and the goal of creating a natural-occurring biological system in the aquifer that sustains itself over a long period of time. He then cautioned that the system might need to be fine-tuned and re-evaluated during this process.

Mr. Kirkpatrick also reported on the FY 2010 through FY 2014 Projections. He stated that although projections were based on knowledge gained from past experience, he also noted the difficulty with long-term forecasting of specific technical aspects of bioremediation implementation. He further stated that if the process proceeds as scheduled, an aggressive full-scale bioremediation program would probably occur through 2015. Mr. Kirkpatrick commented that the groundwater-monitoring obligation is at least through 2030. He also stated that based on past experience at similar facilities, the landfill gas system operations would occur through 2020. He added that maintenance and repair, compliance with Virginia Solid Waste Management regulations and post-closure management activities are projected through 2030-plus.

Mr. Kirkpatrick concluded with a 10-year financial planning summary and noted certain consistent themes that impacted project expenditures. He reported that the Solid Waste Management regulations and compliance are driving the 10-year costs. He noted that current budget estimates are planning budgets. He commented that his organization would be focused on compliance cost reductions through an aggressive bidding process with its subcontractors, technology enhancements and improved operational efficiencies.

Mr. Graham stated that barium was not listed as a recurring task in the 10-year Remediation Planning Budget and inquired as to what was projected after 2014 for this activity. Mr. Kirkpatrick stated that the barium issue presents a challenge. He further stated that their research work included EPA data and barium remediation efforts at other landfills throughout the country, which entailed either monitoring the situation or installing pump and treat systems that captured and contained the barium

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effecting groundwater. Mr. Kirkpatrick added that the barium costs represent the worst scenario of installing a large pump and treat system to control the barium plume from becoming a surface water discharge situation and migrating off the site. He commented that bioremediation does change the groundwater chemistry, which could sometimes alter the valence state of barium in the groundwater and prevent it from migrating. Mr. Kirkpatrick also stated that bioremediation could also have a negative effect by changing the valence state of barium into salt so that it becomes more mobile. Mr. Wood noted that the installation of a pump and treat system would entail higher costs initially with operations and maintenance (O & M) expenses thereafter. Mr. Kirkpatrick reported that the Planning Budget included \$60,000 per year for Barium O & M costs during FY 2010 through 2014.

Mr. O'Connell inquired if there were any areas, similar to barium remediation, which presented a budgeting challenge. Mr. Kirkpatrick responded that the contingency item was included to handle the various issues that might potentially arise in the future. He reported that DEQ requested that two new wells be installed on the northern slope as part of the permit modification, and future testing results might indicate the need to expand the treatment area. Mr. McKalips added that some of the contingency funding was included to cover the placement of additional wells around the perimeter or at least a portion of the landfill as needed. Mr. Wood noted that he requested Malcolm Pirnie to include in this budget the costs for improvements to the gas system in the event the passive system needed to be converted to active in the future.

In regards to **Item 5c, Utility Fee Update**, Mr. Wood reported that a survey will be sent out to County businesses to provide waste generation data. He stated that SCS Engineers would be reviewing those numbers, along with the other financial records furnished by the Authority, and the firm will present its recommendations at the March Board meeting.

6.0 Other Items From Board/Staff Not On Agenda

There were no other items from the Board or staff not on the Agenda.

7.0 Joint Closed Meeting

Upon a motion by Mr. Tucker, and seconded by Mr. Graham, the Rivanna Solid Waste Authority Board of Directors voted to enter into a closed meeting as permitted under Section 2.2-3711.A.7 of the Code of Virginia for consultation with legal counsel with respect to matters involving a former employee. By a 5 – 0 vote, the motion was approved.

ATTENDEES: Mr. Gaffney, Mr. Graham, Mrs. Mueller, Mr. O'Connell, Mr. Tucker, Mr. Krueger and Mr. Wood.

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8.0 Resumption of Open Meeting

The RSWA Board of Directors meeting was reconvened at 4:50 p.m.

Mr. Tucker made the following motion, which was seconded by Mr. Graham:

“**WHEREAS**, the Rivanna Solid Waste Authority Board of Directors has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and,

WHEREAS, Section 2.2-3712.D of the Code of Virginia requires a certification by the Rivanna Solid Waste Authority Board of Directors that such closed joint meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Rivanna Solid Waste Authority Board of Directors certifies that, to the best of each member’s knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Rivanna Solid Waste Authority Board of Directors.”

There being no further discussion, Mr. Gaffney, called for a roll call vote:
Mrs. Mueller – Aye, Mr. O’Connell – Aye, Mr. Gaffney – Aye, Mr. Tucker – Aye and Mr. Graham – Aye.

9.0 Adjournment

There being no further business, Mr. Tucker moved the meeting be adjourned, seconded by Mr. Graham. All members voted aye, and the meeting was adjourned at 4:51 p.m.

Respectfully submitted,

Mr. Gary O’Connell
Secretary – Treasurer