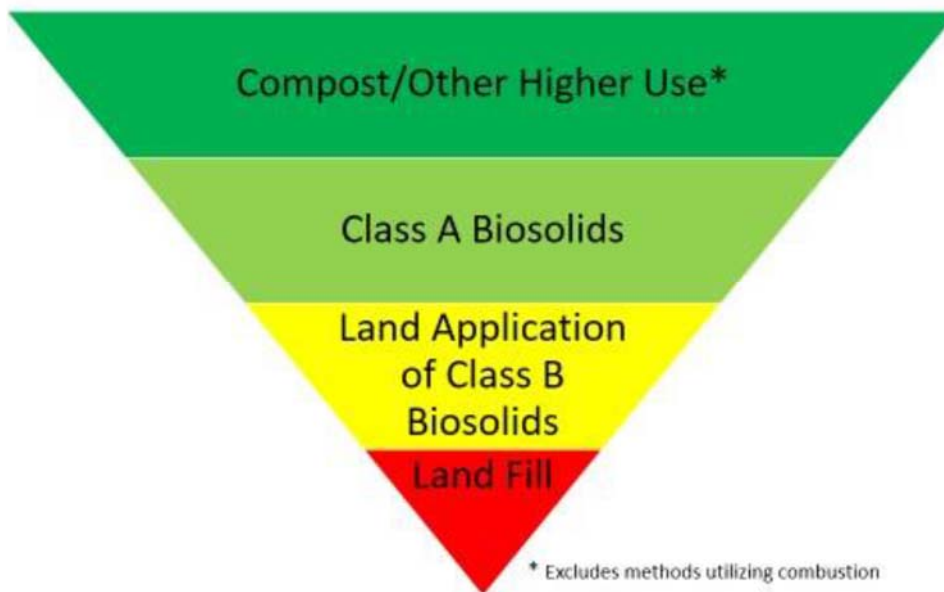


**WWW/ZWAC Joint Working Group
Biosolids Management Policy Recommendations**

1. Biosolids management should honor the highest and best use hierarchy. The City will strive to treat all wastewater sludge to mature, fully stabilized Compost Class A designation that meets the United States Compost Council's definition of Compost prior to final distribution.



2. Require production of compost that meets or exceeds United States Compost Council Seal of Test Assurance standards, and which is screened to remove undecomposed biosolids clumps, clods and other problematic materials, as well as minimum prescriptive processing standards for each type of compost produced.
3. Plastics and undecomposed biosolids clumps, clods and other problematic materials shall be predominately removed from all final products, by screening processed compost material through a 3/8 inch screen.
4. Under emergency conditions, land application of unscreened compost, Class A biosolids, or Class B biosolids may be made on a temporary basis on appropriately authorized property.
 - a. Emergency conditions are defined as severe fire risk, other imminent threats to health and safety, or imminent risk of regulatory non-compliance that could not have reasonably been foreseen.
 - b. If time permits, plastics and clumps, clods and other problematic material should still be predominately removed through 3/8 inch screening before land application.

c. Emergency application of these lower quality products shall extend only as long as necessary to alleviate emergency conditions but only on appropriately authorized property.

5. Austin Water staff shall inform the City Council via a Corrective Action Memo within five business days of declaration of emergency conditions.

6. Austin Water Operations will be conducted in a manner that will keep odors and pests to a minimum.

7. All products produced using biosolids will be clearly labeled to inform the end user of that fact.

8. The Dillo Dirt trademark name and compost quality will remain in City of Austin control, regardless of who produces the product, and should be defined by prescriptive processing requirements (i.e. mixing ratios for bulking agent and sludge, curing timeframes and screening standards)

9. Austin Water and Austin Resource Recovery should continue to vet and pilot new technologies and management strategies in line with active policies that will improve biosolids handling.

10. Austin Water and Austin Resource Recovery will continue to communicate with other city departments when contracts are being renewed or solicited to ensure any partnering opportunities are explored, however this should not include Flow Control of commercial business generated solid waste or recyclables.

11. Bulking agents should be limited to by-products of other known activities and not include painted or chemically treated lumber, asbestos or other obvious contaminants inappropriate for compost products or land application.

Bob Gregory

From: Bob Gregory
Sent: Wednesday, October 12, 2016 3:21 PM
To: 'bc-gerard.acuna@austintexas.gov'; 'Bc-cathy.gattuso@austintexas.gov'; 'bc-joshua.blaine@austintexas.gov'; 'bc-kendra.bones@austintexas.gov'; 'bc-stacy.guidry@austintexas.gov'; 'bc-heather-nicole.hoffman@austintexas.gov'; 'bc-jeff.jiampietro@austintexas.gov'; 'bc-shana.joyce@austintexas.gov'; 'bc-amanda.masino@austintexas.gov'; 'bc-ricardo.rojo@austintexas.gov'; 'bc-kaiba.white@austintexas.gov'
Cc: 'bob.gedert@austintexas.gov'; 'brandi.burton@austintexas.gov'; dobbs@texasenvironment.org; Robin Schneider; 'mwhellan@gdhm.com'; Adam Gregory; Paul Gregory; Ryan Hobbs; Gary Newton
Subject: Austin Water Biosolids Policy and RFPs/ Proposed Contracts
Attachments: 10-12-16 ZWAC Memorandum- Austin Water Biosolids Policy.pdf; 10-12-16 Executive Summary.pdf; 10-12-16 Biosolids Policy Questions.pdf

ZWAC Commissioners,

Item 3A on your [10/12/16 agenda](#) request possible action on a “recommendation on zero waste policy considerations to be included in biosolids management planning.” Staff has included a number of backup documents including a policy recommendation from the joint Biosolids Working Group (BSWG) formed by ZWAC/WWWC, in addition to several documents regarding the City’s management of organics and biosolids, and the process to develop two contracts regarding operation of the Hornsby Bend compost facility and the sale of unscreened compost. However, you are apparently not being asked to make a recommendation on the contracts. I request that you not allow the staff to force the ZWAC to remain silent on potential Council actions that could have serious implications on how the staff goes about implementing its own “zero waste” goals; particularly when Mr. Gedert has identified his path to capture bulking agent for the biosolids management program through Flow Control of solid waste and recyclable material generated by commercial businesses and collected and processed by private companies and nonprofit organizations. Furthermore, the most recent release of some of Synagro’s redacted text in its proposed contract offers the City payments for bulking waste directed by the City to them. Staff included the original Texas Campaign for the Environment (TCE) recommendation, but did not also [include the second, and much more specific, position statement to the Work Group members](#), which opposed the Flow Control of privately collected and commercially generated organic waste for bulking agent.

I request that the commission take a firm stance against approval of these contracts at this time due to significant remaining questions about their suitability to fulfill City policy, and particularly due to the fact that staff will utilize approval of these contracts as a policy directive to implement Flow Control to meet Zero Waste goals going forward.

[Mr. Gedert stated in his 9/13/16 memo to this commission](#) that it is his interest, and we believe his intent, to implement Flow Control through contracts administered by the City. This may seem benign if it were limited to only material generated by the City itself; however, the staff will shortly be presenting for your approval a [“Citywide Dumpster Collection Services RFP and Contract”](#) which significantly expands the scope of what type of customers’ material could be flow controlled through City contracts, potentially including every commercial solid waste and recyclables generator subject to the City’s jurisdiction. Unfortunately, we have found it to be characteristic of the staff to seek the fruition of an agenda through the piecemeal accumulation of Commission and Council recommendations and directives, which may seem disparate and unrelated when not viewed in light of their accumulated effects. The staff, led by Marc Ott and Robert Goode, utilize a completely subjective interpretation and application of the Anti-Lobby Ordinance, and strategic sequencing of solicitations to facilitate this compartmentalized presentation of limited information, and to move toward their desired policy outcomes. I believe that this is nothing short of selective enforcement of the Anti-Lobbying Ordinance, an intentional manipulation of ZWAC and Council, and the attempt to create City policy by RFP and low bid. And, I am convinced we are seeing an example of just such a situation concerning Flow Control in this biosolids

management contract and in the Citywide Dumpster RFP, which was pushed from the October ZWAC agenda to the November agenda after the delay in the biosolids management contracts.

Further indication of the staff's manipulation of information is their decision to present to you the 9/20/16 memo from Texas Campaign for the Environment (TCE) as backup for this item, [despite the latest position of TCE being made clear in the 9/26/16 memo from Robin Schneider](#). This latest memo from TCE recommends and requests several contract provisions that have not been reflected in the contract documents that have been posted for approval, nor are they included in the policy recommendations created by the BSWG.

Further complicating the matter is what should be an active investigation into Synagro and Mr. Click's alleged violation of the Anti-Lobby Ordinance. [We believe it is clear that both Synagro and Mr. Click have violated the Anti-Lobby Ordinance](#). Any objective interpretation of the Anti-Lobby Ordinance will result in the disqualification of Synagro and Mr. Click from consideration under this and subsequent solicitations for the same services. For this reason, I believe it would be best to terminate these solicitations immediately so that all parties could participate in an Invitation for Bids (IFB) that is reflective of City policy and prescriptive regarding the manner of fulfilling those policies. We believe this is the only way to ensure that biosolids are managed responsibly in strict accordance with the policy of the City.

As you can see, I have included links to documents discussed above. I am also attaching a more complete discussion memo to you, and Executive Summary of my comments and requests, and a listing of Policy Questions which still need to be addressed.

Thank you very much for consideration of these concerns. I urge you to recommend that Council require staff to issue RFPs and Bids which are reflective of City policy, and not set City policy by RFP and low bid. There is time to do this right and not have to have staff force the acceptance of dramatic changes to City policy.

Sincerely,
Bob Gregory
President and Principal Owner
Texas Disposal Systems

MEMORANDUM

To: Zero Waste Advisory Commission
From: Bob Gregory, President & CEO, Texas Disposal Systems, Inc.
Date: 10/12/2016
Re: Austin Water biosolids policy and RFPs/proposed contracts

Thank you for your service as a member of the Zero Waste Advisory Commission (ZWAC). As you know, responsible biosolids management poses complex operational and policy questions. I appreciate being able to share information and concerns as you weigh the issues associated with Austin Water RFPs CDL-2003 and JXP-0501.

To be clear, as the region's largest waste resource management company, the City's largest waste and recycling partner, a company with a national reputation for environmental compliance, and the operator of two large biosolids processing facilities (in San Antonio and Victoria), we believe that TDS is the best-qualified company to help Austin Water meet its established policy and management goals at the lowest cost to ratepayers.

However, because City staff's demonstrated misapplication of the Anti-Lobbying Ordinance (ALO) not only presents huge risks to our business in Austin but also creates what we believe is a fundamentally undemocratic RFP process, TDS was unable to respond to either RFP CDL-2003, for biosolids management, or to the related RFP JXP-0501, for the sale of unscreened Dillo Dirt and Class A biosolids.

While this does *not* preclude the City from negotiating – as we have offered – a proposed biosolids management agreement with TDS (as allowed under the terms of our existing 30-year City contract for residential waste disposal and organics management), it does preserve our ability to freely share information with City officials and community leaders working to make complicated policy and management decisions.

In this case, preserving our ability to freely share information and perspective with policymakers and the public is proving paramount in the face of two inarguably flawed RFPs and proposed contracts, which outsource not just Austin's biosolids management *program* but also Austin's biosolids management *policy*; and in the face of a RFP process which has indeed seen City staff *again* misapply the ALO.

Given ZWAC's focus on biosolids management policy issues, of primary concern must be Austin Water's "*polycymaking by low bid*" approach to these RFPs and contracts. That is, instead of working from any defined *policy* goal (as opposed to a *budgetary* goal) for managing Austin's biosolids (for example, continuing or

expanding the nationally recognized Dillo Dirt program, or specifically limiting land application of biosolids on Travis County farmland to only land at the Hornsby facility) and seeking the best contractors and proposals to meet those goals, these RFPs and contracts instead seek to give the lowest-priced qualified bidders carte blanche – with the sole exception of landfilling – to process Austin’s biosolids in almost any way *they* choose. **This would be like outsourcing management of Austin’s animal shelter and giving the contractor authority to set or suspend the City’s “no kill” policy without repercussion.**

Further, while Austin Water has *informally* established compost as the highest and best reuse option for City biosolids, RFP CDL-2003 and the proposed Synagro contract not only *require no real composting at all* but actually create a *barrier* to the production of a finished compost. As Austin Water staff has noted, it takes at least six months of on-site processing time to produce a finished and stabilized compost product like Dillo Dirt, meaning the City’s RFP requirement to pay the contractor *only after biosolids are removed from the Hornsby Bend facility* amounts to a financial incentive for agricultural land application, which requires far less on-site processing time and investment. This is why many conventional biosolids composters did not respond to RFP CDL-2003.

Predictably, given the non-existent (if not fully reversed) policy framework of both Austin Water RFPs, we believe both proposed contracts – with Maryland-based Synagro and Mr. Allen Click – also raise serious questions and concerns. Chief among these may be how RFP CDL-2003 has “morphed” into the proposed Synagro contract, which now envisions a large-scale, off-site grinding operation run by unidentified subcontractors/partners at an unidentified location, *as well as remuneration to the City for providing Synagro with bulking agent*, when **the original RFP was issued exclusively to outsource biosolids program management at Hornsby Bend.**

Additionally concerning is the very necessity of RFP JXP-0501 and the resulting proposed contract with Mr. Click. If Synagro indeed plans to compost 100% of Austin’s biosolids as agricultural compost (as it maintains, but *is not required to do*), why is a 5-year proposal to sell unscreened Dillo Dirt and/or unscreened, partially decomposed biosolids Synagro represents to be compost material (i.e. a Class A biosolids) to Mr. Click even necessary? Regardless of whether the Click contract in fact represents a plan to achieve unregulated land application of Class A biosolids (somewhere in Travis County, per Mr. Click’s testimony), **the question remains as to why RFP CDL-2003 and Synagro’s proposed contract are insufficient to process and market or dispose of all City biosolids.**

Underlying these concerns are a host of remaining unanswered questions about the so-called “agricultural compost” Synagro is proposing to produce at Hornsby Bend and sell to as-yet-unknown customers; the as-yet-unknown plan to secure a sufficient volume of bulking agent to produce conventional compost without balls or clods of nondecomposed biosolids from 100% of Austin’s biosolids after

implementation of citywide curbside composting diverts most bulking agent from Hornsby Bend; the as-yet-unknown impact that proposed changes in the City's biosolids program could have vis-à-vis TCEQ and Travis County permitting; and, of course, **the as-yet-redacted Synagro contract, which remains unavailable for public review even after Synagro's assurances to the contrary.**

Accordingly, the attached document lists what we believe are the critical policy and program management questions concerning these two RFPs as of today. **TDS urges you to please consider these questions – and weigh the possible cost and exposure to our community of moving forward without clear answers – before making any policy recommendation to City staff or the City Council.**

At the same time, from the perspective of TDS and many others, the flawed (and still “morphing”) *design* of both RFPs and contracts is only slightly less worrisome than the flawed *execution* of this selection and negotiation process, which, as noted, has once again seen City staff misuse the ALO to control information and limit options rather than promote transparency and present policymakers with choices.

You may be aware that TDS last week filed a formal ALO complaint with the Purchasing Office regarding representations made by both Synagro and Allen Click at recent meetings of the Hornsby Bend Work Group (HBWG), which was constituted and appointed in September by ZWAC and the Water and Wastewater Commission. Because HBWG meetings have *not* been public (i.e. not publicly posted as per the Texas Open Meetings Act) and were *not* convened by the City's authorized contact person (as required by the ALO in order to allow representations otherwise prohibited during the ALO “no-contact period”) but instead by HBWG chairperson Susan Turrieta (again, as per the direction of ZWAC and the Water and Wastewater Commission), TDS believes that **City staff has facilitated ALO violations** that may – and, unfortunately, *should* – have the result of disqualifying both Synagro and Allen Click from the current (and, per the AOL, any future related) RFP process. A copy of our full complaint is attached for your review.

To be very clear, TDS took no joy in filing this complaint. As you may know, Synagro itself filed a complaint on 9/7/2016 requesting that the City exempt RFP CDL-2003 from compliance with the ALO. TDS, while still deeply concerned about both Austin Water RFPs and proposed contracts, nevertheless supported that request (which we understand has now been withdrawn) even though we had already twice observed Synagro and City staff in likely violations. **We supported Synagro's request because we believe that City staff's ongoing misapplication of the ALO violates not only the letter but certainly also the initial intent of the ordinance, which was to provide a “level playing field” for RFP respondents. In fact, City staff's actions have, over and over again, resulted in less transparency, less fairness, and less information made available to policymakers and the public about proposed City purchasing contracts.**

At this point, we believe that any responsible analysis would have to conclude that both Austin Water RFPs and proposed contracts are fatally flawed, both in terms of design and execution. Regardless of the Purchasing Office's finding with regard to ALO violations, TDS' strong recommendation is that ZWAC vote to support the termination of this RFP process and the initiation of a biosolids management policy-setting process by the City Council. Specifically, we believe policymakers, City staff and the public should work together to decide whether the City Council intends to preserve, expand, or eliminate the Dillo Dirt program; whether the Council intends to maximize legitimate composting of biosolids and minimize land application, and to what extent; whether – if the City doesn't intend to minimize land application – the Council intends to say where it wants more land application to occur; whether the Council intends to define what is and isn't "compost"; and other key issues.

Once the City Council's biosolids policy priorities have been established, we believe a *single* new Invitation For Bids, with no ALO restriction, should be issued for very specific contractor services designed to achieve the City's established policy priorities. We believe this would be consistent with the 8/11/2016 City Council discussion (a transcript is attached for your review), and could easily be accomplished before Synagro's contract extension term expires on March 17, 2017.

Failing ALO disqualifications, termination of this RFP process, or a full City Council consideration of Austin's biosolids policy, at a minimum **the current process should not culminate in executed contracts unless and until full, unredacted contracts have been made public with sufficient time for vetting by policy makers, advisory Commissions and the community.** The contracts should fully reflect City Council policy with enforceable terms and termination clauses to protect the City from nuisance odor conditions at and around the airport, and the area surrounding each processing facility and land application location within Travis County. And, compost produced should be screened to a size of 3/8 inch or less to ensure that the product being land applied does not include undecomposed balls or clods of biosolids sludge.

Thank you once again for your service on the Zero Waste Advisory Commission.

October 12, 2016

Executive Summary: Austin Biosolids Policy / Synagro-Click

- Biosolids management has significant environmental, public health and public safety implications, but both Austin Water RFPs (RFP CDL-2003 and RFP JXP-0501) were issued, and proposed contracts with Synagro and Allen Click were drafted, without requiring that *any* established City biosolids management policy goal actually be met. As a result, the City could end up dumping odorous biosolids on neighboring communities without the Austin City Council even realizing it had allowed such a major policy change.
- Both RFPs and contracts represent a City staff-driven “policy by RFP and low bid” approach rather than an appropriate City Council-driven “policy by community values” set by policy makers approach. As a result, the proposed vendors are not required to continue producing Dillo Dirt or *any* finished compost, or to meet the Travis County Siting Ordinance regulating the land application of biosolids. Both vendors, reportedly, were chosen based primarily on price and staff’s willingness to allow termination of the Dillo Dirt program, and to allow the wholesale land application of an unfinished, partially digested Class A biosolids described as “agricultural compost” on land in Travis County.
- Huge questions remain about the nature of the “agricultural compost” that Synagro has proposed to produce at Hornsby Bend, including how it would be made, how nuisance odor conditions would be controlled in the area surrounding Hornsby (including at the Austin airport), what standards for a stabilized compost it would meet, whether the Travis County Siting Ordinance would significantly limit its land application in Travis County, and who would buy it.
- The Synagro contract has additionally “morphed” from a proposal to manage biosolids at Hornsby Bend, as requested by the RFP, into a plan to build and run a large-scale, off-site grinding operation, to remunerate the City for bulking agent, to potentially include the City’s flow control of all organic waste generated in the City, and to include still unrevealed Synagro partners and an undesignated alternative compensation proposal. *It also remains unclear why the 5-year Allen Click contract is even necessary if Synagro intends to produce compost from all City biosolids, unless the Click contract is the unrestricted outlet for land application of Synagro-produced, partially decomposed Class A biosolids in Travis County.*
- This RFP process has also been conducted in violation of the Anti-Lobbying Ordinance (ALO). A Synagro representative and Allen Click have both met with City staff, the Hornsby Bend Work Group, and other City officials outside public meetings, which were *not convened by the City’s authorized contact person*, during which representations prohibited during the ALO “no-contact period” were made. Staff has apparently overlooked those violations.

- At this time, the full, unredacted proposed contract with Synagro has not yet been made public, despite Synagro's 9/11/16 commitment to the City Council to do so. This includes information about proposed services, charges, the location of an offsite waste processing facility, and Synagro subcontractors/partners.
- *Council policy must precede and be enforced in City RFPs and City contracts, and the RFP process must be conducted fairly or be terminated. Before ALO violations are determined to have occurred – which could prohibit Synagro and Allen Click from responding to future RFPs for these same services – both Austin Water RFPs should be terminated and reissued as a *single* new Invitation For Bids, with no ALO restriction, for specific services designed to achieve *Council-established biosolids management policy goals*. There is more than sufficient time to accomplish this before the current Synagro contract extension expires mid-March 2017.*
- Failing this, at a *minimum* the current process should not culminate in executed contracts unless and until full, unredacted contracts have been made public with sufficient time for vetting by policy makers, advisory Commissions and the community. The contracts should fully reflect existing Council policy with enforceable terms and termination clauses to protect the City from nuisance odor conditions at and around the airport, and the area surrounding each processing facility and land application location within Travis County. *Any compost produced should not include undecomposed balls or clods of biosolids.*

Policy Questions as of 10/11/2016

- Should the City evaluate best practices for biosolids management and the City Council formally adopt a highest-and-best use hierarchy for Austin’s biosolids based on the costs and benefits of: 1) conventional composting (Dillo Dirt), 2) Class A land application, 3) Class B land application, 4) landfilling, and 5) other approaches?
- Should consideration of City biosolids policy include an evaluation of public health, safety, and nuisance issues for property owners and public facilities near the Hornsby Bend site; for nearby property owners and others impacted by all anticipated Class A and Class B land application sites; and for anyone impacted by the use of compost derived from City biosolids?
- Should consideration of City biosolids policy seek to define key terms, particularly to aide in the development of City solicitations and contracts? Should key terms include “compost”, “composting”, “curing”, and “screening”?
- Should “agricultural compost” with balls and clods of undecomposed biosolids be considered a compost or a biosolids compost, even if it can be rated a Class A biosolids?
- Should the City evaluate best practices for biosolids composting and formally adopt a minimum standard recipe, a third-party certification requirement, and a full list of all allowed / disallowed bulking agent for *all* compost produced from Austin’s biosolids?
- Should the City implement “flow control” of organic materials generated by non-residential entities?
- Should the City continue or discontinue the Dillo Dirt program? Should City staff or City Council make that determination? If the City wants to continue the Dillo Dirt program, should the City fully privatize Dillo Dirt’s production, marketing and sale? Should the City consider and formally adopt a minimum standard recipe for Dillo Dirt (i.e. define “Dillo Dirt”) and how it is made?
- Should the City undertake a cost/benefit analysis to quantify the amount of conventional compost required to economically maximize water conservation on City-owned property, rights-of-way, parks and golf courses? Should the City review its practice of enforcing and/or modifying City Code requirements for using soil amendments and compost on new development in or near aquifer recharge zones? Would the land application of Class A biosolids be regulated by the Travis County solid waste siting ordinance?

- Should the City's biosolids be considered in the City's Zero Waste diversion goals and targets? (This waste stream is entirely controlled by the City and is one of the largest waste streams the City produces, yet staff has determined independently that it should be excluded from Zero Waste.)

RFP / Proposal / Contract Questions as of 10/11/2016

- Is the goal of the Austin Water RFPs and proposed contracts with Synagro and Mr. Allen Click to increase or decrease land application of biosolids? To increase or decrease composting of biosolids? To increase or decrease landfilling of biosolids? Do the RFPs or contracts include any specific expansion or reduction target in any category? How do the proposed contracts ensure that all or any of these goals are met?
- Is the goal of the Austin Water RFPs and proposed contracts to decrease costs? If so, how has the cost reduction been calculated, and how do the proposed contracts ensure that specific cost reduction goals are met?
- Under what conditions would the proposed contracts allow / disallow vendors to utilize land application of Class A or Class B biosolids in or out of Travis County?
- If the City's goal is to continue the production of Dillo Dirt, does the proposed Synagro contract require it? Or does the contract allow Synagro to discontinue production of Dillo Dirt? If Synagro continues production of Dillo Dirt, does the contract license the right to use the trademark name "Dillo Dirt" and its associated logo, including any restrictions, and does the City receive royalties under the license? Does the contract require that any future product represented to be Dillo Dirt meet the same product standards as Dillo Dirt has in the past when made by City staff? If so, what are those standards and are they specified in the contract?
 - In 2009, the City spent approximately \$7 million received from the Clean Water State Revolving Loan Fund to expand the Dillo Dirt processing facilities for the stated purpose of expanding the program and limiting land application and truck traffic. Should these facilities continue to be used exclusively for the composting, curing, stabilization, screening and sale of Dillo Dirt?
- Do the RFPs or proposed contracts include or reference on any definition of "compost" or "composting"? Does the Synagro contract require any minimum standard recipe and / or securing any third-party certification for *all* products represented as being "compost" derived from City biosolids? Does the Synagro contract require that *all* products represented as being "compost" derived from

City biosolids meet the standard definition according to the U.S. Composting Council?

- What are the different types of composting recipes and compost products that would be utilized and produced over the term of the Synagro contract?
- How does the recipe for “agricultural compost” (a product Synagro has proposed to produce at Hornsby Bend) differ from the recipe for Dillo Dirt? What is the ratio of bulking agent to biosolids? Does “agricultural compost” meet the definition of “compost” according to the U.S. Composting Council? What are the public health, safety and/or nuisance considerations associated with producing and selling “agricultural compost”? Where else does Synagro produce “agricultural compost” and what are the health, safety and/or nuisance impacts of those facilities? To what local customers does Synagro intend to sell “agricultural compost” and does Synagro intend to market its agricultural compost through the proposed Austin Water contract with Mr. Allen Click?
- How much and what type of bulking agent does the proposed Synagro contract commit the City to provide to Synagro each year? If none, should Synagro instead be required to commit to the City to provide minimum volumes and classes of bulking agent sufficient to produce compost from 100% (or another %) of City biosolids? If not, what happens (or should happen) if Synagro is unable to provide the bulking agent needed to meet the City’s informal composting goals? Does the contract prohibit the use of any specific bulking agent at Hornsby Bend (e.g. painted / treated wood, hazardous or toxic materials, etc.)?
 - Has the City undertaken a comprehensive inventory of all bulking agent materials produced by all City departments each year that could be used for biosolids composting? If so, what are the volumes and types of all City-produced materials?
 - How much bulking agent would be required on an annual basis to compost 100% of Austin’s biosolids to the standards of Dillo Dirt? How much to compost 100% to the standards of “agricultural compost”? How much to compost 100% to the requirements of a different, best-practices minimum standard recipe?
 - If the City is not contractually committed to provide a certain volume or type of bulking agent to Synagro each year, what, if any, is its informal goal? *What are the full details, and what is the purpose, of the contract’s proposal to remunerate the City for providing bulking agent?*
 - Will City staff need to utilize flow control (i.e. expand or establish control over Austin waste streams not currently collected by the City) in order to

secure sufficient bulking agent for composting 100% of Austin biosolids? If so, which waste streams have City staff considered expanding or establishing control over, and do they include Austin businesses, industry and/or construction and demolition companies?

- Which contractors and which property is Synagro planning to utilize for the proposed offsite (bulking agent) grinding operation (not contemplated by the original RFP)? What types of bulking agent will be allowed / disallowed (or are planned) to be processed there? Will Synagro's grinding operation serve any end uses other than biosolids composting? If so, what are they? Under what conditions and for what purpose would Austin Resource Recovery utilize Synagro's grinding operation? Can Synagro process food waste with yard waste at its offsite grinding operation and bring that processed bulking agent to Hornsby Bend for composting?
- Do the proposed contracts include termination clauses for land applying biosolids without the proper state, county and/or municipal authorizations?
 - Has it been determined whether changes to the Dillo Dirt program and/or the City's overall biosolids management plan will require modifications or amendments to any Hornsby Bend TCEQ permits?
 - Has it been determined if biosolids management as proposed in the proposed contracts would require modifications or amendments to TCEQ permits for composting, processing or land application of biosolids? Or any variance to Travis County's solid waste siting ordinance for land application of the proposed agricultural compost on farmland in Travis County?
 - If state or local permit changes are required, who would be responsible for securing the required changes, how long would it take, would contractor operations begin in lieu of receiving required changes, and what happens (or should happen) if approval is denied for the proposed changes?
- Does the proposed Synagro contract include any specific obligations, or allow the City to terminate the contract for cause, related to public health, safety, and nuisance issues for property owners and public facilities (e.g. Austin Bergstrom International Airport) near the Hornsby Bend site, for nearby property owners and others impacted by all anticipated Class A and Class B land application sites, and for anyone impacted by the use of compost derived from City biosolids? If so, what are the obligation / termination provisions and are they enforceable?

- Has it been determined who is legally responsible for Austin's biosolids at each stage of the land application process (generator, processor, or landowner)?
- Has the intrinsic value of use of the City's 40+ acre biosolids composting facility been determined (15 acre new compost pad, 7 acre old compost pad, four 5 acre basins)? Will Synagro be making lease payments to the City for use of the facility? (Synagro pays Charlotte County, Florida \$36,000 per year to utilize an 8-acre parcel for biosolids recycling.) Does the proposed Synagro contract include provisions governing Synagro's operation and maintenance of the City's Hornsby Bend facility? What happens in the event of damage beyond normal wear and tear? How will utility expenses be allocated between Synagro and the City?
- What is the City's projected annual cost and revenue for the Hornsby Bend operation and the offsite grinding operation under the terms of the contract? How do the prices in the Synagro proposal / proposed City contract differ from the prices the City currently pays Synagro for the same services?
- What provisions contained in the proposed contracts were not contemplated by the original RFPs? (For example, replacement of Austin Resource Recovery's grinding operation at Hornsby Bend with a new offsite grinding operation operated by Synagro and/or unknown subcontractors or partners.)
- Why does key information about Synagro's proposal remain redacted, when Synagro representatives agreed to make the entire proposal available for public review?