



## LANDFILL CRITERIA August 13, 2018

### **PURPOSE**

The purpose of this Request for Information is to gather information from landfill operators for use in solicitations that include disposal of municipal solid waste (MSW) or construction and demolition (C&D) debris controlled by the city of Austin, such as contracts for hauling trash but not for disposal of residuals resulting from the processing of city-controlled recyclables or compostable material.

The intent is to minimize negative impacts and encourage positive impacts of landfills on climate change and other aspects of the environment, landfill employees, others that use landfills, and landfill neighbors.

### **SCOPE OF USE**

The City will determine a Landfill Score for each landfill operator based on publicly available information from local, state, or federal public agencies and on the landfill operator's response to this Request for Information (RFI) using the criteria and measurements described below.

The Landfill Score will only apply to the landfill operations that would be disposing of municipal solid waste (MSW) or construction and demolition (C&D) debris as part of the City solicitation.

City solicitations that include disposal of MSW or C&D debris will only accept responses from landfill operators that have a Landfill Score submitted less than one year prior to the solicitation's closure date.

Landfills with a current Unsatisfactory compliance rating from the Texas Commission on Environmental Quality, an enforcement order, court order, consent decree, or criminal conviction related to EPA or TCEQ violations, or placed on the EPA's National Priority List (NPL) shall not be eligible to receive City controlled trash, waste, refuse, or debris until the violation is fully remediated and compliant with the EPA and TCEQ.

The City will use the Landfill Scores to develop a list of qualified landfills eligible to receive city-controlled municipal solid waste and city-controlled C&D debris. Landfill scores for the C&D landfill list would include the same criteria as the MSW landfill list except criteria 1a and 1c, which address landfill gas emissions. On each list, landfills with scores within 25 points of the highest scoring landfill would be qualified. An Invitation for Bid (IFB) for these services would restrict bidding to only qualified landfills.

The landfill criteria matrix for MSW disposal shall have a maximum score of 100 points. The landfill criteria matrix for C&D disposal shall have a maximum score of 80 points.

For criteria that don't apply to a particular landfill, (e.g., an out-of-state landfill subject to another state's landfill regulations), the ARR Director will determine alternative equivalent measures.

Once a solicitation closes, changes in the Landfill Score will not affect the contract.



# Landfill Criteria (MSW Disposal)

Objective?	Criteria	Description & Measure	Pts
	<b>1 Carbon Footprint</b>	<b>INTENT:</b> Minimize the generation of landfill gas and beneficially use what is produced in ways that replace carbon-based energy sources.	<b>25</b>
Y	1a Estimated landfill gas collection emissions	<p><b>Description:</b> The City will compile the most recent landfill gas emissions reported in the USEPA's Facility Level Information on Greenhouse Gases Tool (<a href="#">USEPA FLIGHT</a>: See Notes, below) for all the active landfills listed by the Texas Commission on Environmental Quality in the Alamo Area Council of Governments, Capital Area Council of Governments, Houston-Galveston Area Council, and North Central Texas Council of Governments and group the landfills into three groups by emissions quantities.</p> <p><b>Measure:</b> The landfill operator will receive all of the available points if its landfill's Landfill Gas emissions (MTCO<sub>2</sub>e) are in the lowest third of landfill gas emissions and half of the available points if its landfill gas emissions are in the middle third, based on the landfill operator's preference between formula HH6 or HH8. Landfills in the highest third will receive no points. Landfill operators that are not required to report to USEPA FLIGHT will receive full credit.</p>	16
Y	1b Onsite use of carbon-free energy	<p><b>Description:</b> The landfill operator shall provide information on its use of carbon-free fuels, power, or energy for its landfill fleet or other uses separate from a landfill's on-site use of landfill gas. This includes but is not limited to solar, wind, hydrogen, or electric technology. Use of electric vehicles and carbon-free energy sources is preferred over carbon-based energy sources.</p> <p><b>Measure:</b> The landfill operator will receive full credit for any carbon-free energy use at the landfill.</p>	5
Y	1c Landfill gas beneficial use	<p><b>Description:</b> The landfill operator shall provide information on its current uses of its landfill gas (LFG). This does not include waste-to-energy technologies, except for normally occurring landfill gas-to-energy, not including bioreaction. For example, the landfill operator could use LFG to produce electricity, fuel vehicles, space heating or it could be fed into a natural gas line for off-site use.</p> <p><b>Measure:</b> The landfill operator will receive full credit for LFG beneficial use at the landfill. Landfill operators that are not required to report to USEPA FLIGHT will receive full credit.</p>	4
	<b>2 Environmental, Zero Waste, and Sustainability</b>	<b>INTENT:</b> Minimize negative impacts to the environment and implement positive ones.	<b>25</b>
Y	2a Permit compliance	<p><b>Description:</b> The City will review the landfill's environmental <a href="#">Compliance History</a> (based on records at the Texas Commission on Environmental Quality or other appropriate environmental regulatory agency). (See Notes, below.)</p> <p><b>Measure:</b> The landfill operator will receive full credit for achieving a High Compliance rating for the most recent 5-year rating period. The landfill will receive no credit for a Satisfactory.</p>	15
Y	2b Zero Waste / beneficial waste diversion	<p><b>Description:</b> The landfill operator shall submit a detailed list of activities that promote zero waste and waste diversion.</p> <p><b>Measure:</b> The landfill operator will receive credit for its activities that reduce disposal of reusable, recyclable, compostable materials or products consistent with the Austin Resource Recovery Master Plan such as, but not limited to, citizen drop-off or reuse stations and onsite processing or composting of materials.</p>	10

<b>3 Operational Safety</b>			<b>INTENT:</b> Minimize the safety risk to the landfill's employees and others onsite.	<b>25</b>
Y	3a	Safety record	<b>Description:</b> The landfill operator shall provide information on its injury and illness incident rate for the past five years. The City will review the most recent Bureau of Labor Statistics (BLS) annual report of Occupational Injury and Illness Incidence Rates of by industry. (See Notes, below.)	10
			<b>Measure:</b> The landfill operator will receive full credit if its most recent incident rate is less than or equal to the total incidence rate for solid waste landfills nationwide in the most recent BLS report.	
Y	3b	Onsite fatalities or catastrophes	<b>Description:</b> The City will review OSHA's most recent <a href="#">Severe Injury Reports</a> and OSHA's <a href="#">Fatality Inspection Data</a> . (See Notes, below.)	15
			<b>Measure:</b> The landfill operator will receive full credit for having no severe injuries, fatalities, or catastrophes for the past five years.	
<b>4 Community Impact and Social Equity</b>			<b>INTENT:</b> Support and minimize harm to potentially impacted neighboring communities and provide equitable compensation and advancement opportunities.	<b>25</b>
Y	4a	Workforce diversity policy	<b>Description:</b> The landfill operator shall provide documentation affirmative hiring and diversity advancement policies.	10
			<b>Measure:</b> The landfill operator will receive all available points for providing documentation of affirmative hiring (including a Fair Chance hiring policy) and diversity advancement policies within the landfill operations.	
Y	4b	Living wage and benefits	<b>Description:</b> The landfill shall provide documentation on the number and percentage of all its full-time, non-exempt landfill employees earning at least the current living wage and receiving health care protection as set by the City for its contracts. (See Notes, below.)	10
			<b>Measure 1:</b> The landfill operator will receive credit if all of its full-time, non-exempt employees earn at least the current living wage and receive health care protection as set by the City for its contracts.	
			<b>Measure 2:</b> The landfill operator will receive credit for having either a collective bargaining or labor peace agreement.	
Y	4c	Landfill location demographics (See Notes, below)	<b>Description:</b> The City will determine the demographic index for a 2-mile-radius around the landfill perimeter based on racial, ethnic, and socio-economic factors using the EPA's EJSCREEN for the most recent census. (See Notes, below.)	5
			<b>Measure:</b> The landfill operator will receive credit if the demographic index for the 2-mile radius around the landfill is less than its county's demographic index.	

**NOTES:**

**Criteria 1a.** The Facility Level Information on Greenhouse Gases Tool (USEPA FLIGHT [ghgdata.epa.gov/ghgp/main.do](http://ghgdata.epa.gov/ghgp/main.do)) provides access to greenhouse gas data reported to EPA by large emitters, facilities that inject CO2 underground, and suppliers of products that result in GHG emissions when used in the United States. In general, facilities that directly emit 25,000 metric tons of carbon dioxide equivalent or more per year are required to submit annual reports to EPA.

**Criteria 2a.** TCEQ determines a compliance rating for each facility annually based on inspections and complaint investigations. Ratings are maintained on a 5 year rolling schedule and are classified as High, Satisfactory or Unsatisfactory with a numerical rating that fits into each of these compliance tiers. See [www.tceq.texas.gov/compliance/enforcement/compliance-history](http://www.tceq.texas.gov/compliance/enforcement/compliance-history).

**Criteria 3a.** See the Nonfatal injury and illness rates by industry published by the Bureau of Labor Statistics at [www.bls.gov/iif](http://www.bls.gov/iif) for private industry solid waste landfills (NAICS 562212). Nationally, solid waste landfills reported an incidence rate for nonfatal occupational injuries and illnesses of 4.9 in 2016.

**Criteria 3b.** See OSHA's [Severe Injury Reports](http://www.osha.gov/severeinjury/index.html) at [www.osha.gov/severeinjury/index.html](http://www.osha.gov/severeinjury/index.html) and OSHA's [Fatality Inspection Data](http://www.osha.gov/dep/fatcat/dep_fatcat.html) at [www.osha.gov/dep/fatcat/dep\\_fatcat.html](http://www.osha.gov/dep/fatcat/dep_fatcat.html).

**Criteria 4b.** The Austin City Council established a Living Wage for certain contractors by adopting Resolution No. 20160324-020 ([www.austintexas.gov/edims/document.cfm?id=250908](http://www.austintexas.gov/edims/document.cfm?id=250908)). The [Living Wage](#) for contracts executed during the city's current fiscal year per hour ([www.austintexas.gov/faq/what-citys-living-wage](http://www.austintexas.gov/faq/what-citys-living-wage)). In addition, per a Supplemental Bid Document for Living Wage and Benefits, contractors must offer health insurance with optional family coverage for applicable Contractor employees.

**Criteria 4c.** "Landfill location demographics" relates to environmental justice values beyond the scope of on-site landfill operations. City Council may provide policy direction.

**Criteria 4c.** The EPA has developed an environmental justice (EJ) mapping and screening tool called EJSCREEN ([www.epa.gov/eiscreen](http://www.epa.gov/eiscreen)). It is based on nationally consistent data and an approach that combines environmental and demographic indicators in maps and reports. A Demographic Index is based on the average of two demographic indicators; Percent Low-Income and Percent Minority.



# Landfill Criteria (C&D Disposal)

Objective?	Criteria		Description & Measure	Pts
	<b>1 Carbon Footprint</b>		<b>INTENT:</b> Minimize the generation of landfill gas and beneficially use what is produced in ways that replace carbon-based energy sources.	<b>5</b>
Y	1b	Onsite use of carbon-free energy	<p><b>Description:</b> The landfill operator shall provide information on its use of carbon-free fuels, power, or energy for its landfill fleet or other uses separate from a landfill's on-site use of landfill gas. This includes but is not limited to solar, wind, hydrogen, or electric technology. Use of electric vehicles and carbon-free energy sources is preferred over carbon-based energy sources.</p> <p><b>Measure:</b> The landfill operator will receive full credit for any carbon-free energy use at the landfill.</p>	5
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	<b>3 Operational Safety</b>		<b>INTENT:</b> Minimize the safety risk to the landfill's employees and others onsite.	<b>25</b>
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