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Friday, May 20, 2005

Council rejects landfill deal City to look at long-term solution for waste disposal

Mayor Will Wynn surprised observers Thursday—including those waiting to speak against the deal—by announcing that he supported indefinite postponement of consideration of the city's proposed contract with **IESI Corp.** to run and close Austin's **FM 812** landfill. Council members agreed with him and unanimously approved putting a hold on the project.

The city has been working with Fort Worth-based IESI to reach agreement on a 65-year contract that promised some financial relief to the city, but disturbed some environmentalists and pilots who had dire warnings about the possible consequences of signing such a deal.

Wynn said that the Council had important long-term questions to answer about solid waste, questions that are more critical than "the disturbing financial elements" of operating and/or closing a **Type IV** landfill. "So I hope that this effort actually helps us with the task at hand, which is the long-term solution for a well-sited, competitive scientifically sound landfill solution for the sustainable future of **Central Texas**," he said. Type IV landfills are permitted to take only construction debris, not household waste. The city has had trouble with its **Type I** landfill and is still responsible for remediating environmental problems, including leachate and landfill gas.

Mayor Pro Tem Jackie Goodman, who along with **Council Member Raul Alvarez** opposed the deal last November, said, took a swipe at city staff. While not naming anyone in particular, Goodman was clearly aiming at **Solid Waste Services Director Willie Rhodes**, who not only ignored the advice of the **Solid Waste Advisory Commission (SWAC)**, but refused to give them the information they requested. If the item comes back to some future Council for action, she said, the staff should take advantage of the expertise on SWAC, the **Environmental Board** and other advocacy groups in the community. She also implicitly criticized the city's **Law Department** by saying any future contract of such a nature should be outsourced.

"So that if (the contract) comes back, we not only have guarantees as to operational policies, history, guarantees of improvements in the future, closure of our part (of the landfill), and a number of other things that are very notably missing from this contract," Goodman said.

Environmentalists, **Council Member-elect Lee Leffingwell**, three former Council Members and **Bob Gregory**, co-owner of **Texas Disposal Systems**, had all urged the Council not to take action on the contract at this time.

Texas Campaign for the Environment Executive Director Robin Schneider was ready to speak against the contract. Following the meeting, Schneider explained some of the problems

with the city's old landfill. "The city had dug deeper and gone higher than they were supposed to," she said, leaving only a small slice of the original landfill available for more waste. "Schneider was also critical of the company's proposal, which she said was devoid of operational details, and of Solid Waste Services for rating IESI more highly than competitor TDS.

A local pilots association has also registered its concern about the landfill being too close to the runways at **Austin-Bergstrom International Airport**. Birds drawn to the landfill pose an aviation hazard for planes. **FAA** regulations specify that landfills should be at least five miles from a major airport, but the FM 812 landfill was "grandfathered" in place by the FAA, just 500 feet from the south border of **ABIA** when it was opened.

IESI seemed to be a natural partner for the city at the FM812 landfill because the company has a Type IV landfill adjacent to the city's Type I facility. IESI proposed to join the two landfills together, filling in the part of the city's landfill that has not been utilized so far.

Jeff Peckham, IESI regional vice president, said, "It's a disappointment, but the city has made a policy decision" to change directions. He noted that the Council seems to want to wait for a long-term plan and new Council members will help decide what the new policy might be.

In addition to the landfill, IESI operates trash collection services. **Royce Gray**, IESI district manager, explained, "We run more than 60 routes in the metro area serving more than 76,000 residential homes." That includes service to **Cedar Park, Pflugerville, Taylor, Jonestown, Lakeway** and **Lago Vista**, plus unincorporated areas of **Travis, Hays and Williamson County**. Gray said IESI also provides service to **Bryan, Johnson City and Blanco**. Much of the waste IESI picks up is taken to the Williamson County landfill near **Hutto** but the majority of the trash from Travis County is taken to the **BFI** landfill, he said. He said his company also has reciprocal agreements statewide with **Waste Management**.

Peckham said the company gave the city three options. The city chose the option that would allow IESI to fill the untouched areas of the city facility. He said IESI planned to fill "only the untouched areas of their facility. We were 90 percent along," in concluding the agreement, he said. "There were just a couple of loose items." IESI had been working on the deal for almost two years, he said.

The city apparently has already gotten something out of bargaining with IESI. Peckham said, "We have supplied the city dirt for free. They are out of dirt," on the city site, he said, while IESI has an excess. "If they decided not to take any more trash today," at the city site, "they would still need dirt," to cover the trash already on the site, he said.

The Council unanimously approved the indefinite postponement with only **Council Member Daryl Slusher** warning that the decision might have negative consequences. He noted that the city does not own a Type I landfill but must depend on privately owned sites for disposal of household waste. Without this deal, he said, the city may also be losing the opportunity to have an interest in a Type IV landfill also. **react**