

South Wake Landfill

Some Frequently Asked Questions & Responses

September 3, 2020

Overview of the landfill County/municipal agreement

- Q - How does the County determine municipal solid waste tipping fees at the landfill/transfer station?
A - Tip fees were set at the opening of the landfill back in 2008 and were based upon anticipated costs to operate the landfill and the East Wake Transfer Station. There are 2 main contracts associated with the landfill operation – the Landfill Design, Construction and Operation Agreement (GFL Environmental) and the Agreement for East Wake Transfer Station Operation & Maintenance (CEI). Since 2008 (opening of the landfill), the tip fee has only increased once in 2013. Current tipping fees are \$32/ton at the South Wake Landfill and \$41/ton at the East Wake Transfer Station. Each year the tip fee is evaluated to make sure it will cover the landfill/transfer station costs and make sure the municipalities are continuing to receive rebates. Typically, anticipated negative rebates have been the time at which tip fee increase is considered.
- Q – Within the Interlocal Agreement (ILA) for the South Wake Landfill Partnership, how does the system of rebates work for the municipal partners?
A - On an annual basis the total costs affiliated with the landfill and transfer station are compared with the total revenues from tipping fees. Ultimately if there are more revenues than costs, then the excess revenue is distributed as rebates to the municipal partners on a proportional basis of waste volume each municipality directs to the landfill (everyone except Holly Springs, which declined to join the partnership in 2006/7). Refer to the attached ILA for further details.
- Q - What would be required to end the ILA of the South Wake Partnership in order to close the landfill early?
A - The ILA is a 25-year contract between Wake County and all Wake County municipalities (except Holly Springs as described above). Ending the Partnership would essentially be breaking the contract and opening the County up to issues with every partner in Wake County due to the savings they experience through the partnership. Essentially the ILA says that for any party to leave the ILA (or make changes), ALL other parties must agree to the change(s). Breaking this partnership in order to close the landfill early would not only put the County at odds with all of the partnership municipalities, it would take several years to plan, design and construct additional transfer station(s) in order to send the waste to a regional landfill outside of Wake County. Building the additional facilities, the landfill closure costs and the additional costs to ship the waste out of the county, it is anticipated that all parties in the partnership would experience a 2-3 times increase in their current waste disposal costs (in the case of Raleigh, this could be \$5-8 M per year). Even Holly Springs would experience an increase in disposal costs as its current solid waste most likely ends up in the South Wake Landfill. The concept of regionalization is not a new concept to Wake County and exiting this agreement would be counter to the typical efforts of the County to consolidate and/or regionalize efforts.

Overview of vendor contract, including:

- Q – What is the County's ability to enforce odor control measures (as the County perceives to be warranted for implementation by GFL) under Section 10.21 of the Operations Agreement between the County and GFL?
A - This is an ongoing process. GFL has been cooperative in piloting costly ADC's and odor control neutralizers up to this point. Recent GFL management personnel changes and moving to

all dirt daily cover protocols appear to be yielding improved circumstances regarding the frequency and intensity of off-site detectable odors. To-date, GFL has considered implementation of actions and evaluated alternatives specifically requested by the County and has demonstrated appropriate responsiveness to County requests/directives pertaining to odor control measures. Please note that the County serves as the Permittee for the Landfill and odors are governed under the Facility's Solid Waste Permit and Air Quality Permit. As such, the NCDEQ enforces regulatory requirements and provisions of the environmental permits. Routine inspections of the Landfill conducted by representatives of NCDEQ have historically been satisfactory, with no violations or concerns noted by inspectors that visit the Landfill.

- Q - Ability to cancel contract?
A - *To be answered by the County Attorney's office.*

What was the original arrangement(s) with Holly Springs?

- Q - What infrastructure did the town get in the arrangement? And what commitments did the County and Town make?
A - *There have been a couple of arrangements related to the landfill and the Town. An ILA in 1994 relieved the Town of repaying the County \$298,292 for wastewater treatment plant construction, the County agreed to pay the Town an additional \$228,800 for design & construction of wastewater facilities associated with the landfill, the Town approved the construction of the SWLF in the Town's corporate limits (and ETJ) and the Town agreed to provide sewer treatment capacity of up to 50,000 gallons per day for the landfill. The 2nd agreement was in 2013 and it involved the Ting Park property. The Town initially paid \$253,668 for the 42.3 acres of property owned by the County (\$6000/acre). The agreement delayed paying the balance of the property value for up to 10 years. The Town still owes the County \$1,805,271 for this property purchase (currently due by in May of 2023). Refer to the ILA and property purchase agreement documents for further detail.*

Map of landfill and surrounding area

- Q - Clearly highlight parcels/neighborhoods permitted after landfill was approved and "generally known" in the 90s
A - *See attached annotated Google Maps exhibit with landfill location (blue shading), some subdivisions and a general date of first construction.*

What do other Counties do?

- Q - Waste disposal generally?
A - *Durham and Orange send their waste, via transfer station, to a regional landfill at significantly more cost than Wake County municipalities. Johnston County operates their own landfill. Mecklenburg County has an agreement with a third party that owns and operates a landfill in Mecklenburg County. The County owns their own landfill but currently only uses it for C&D purposes only. In NC there are 100 counties and about 38 county owned landfills.*
- Q - Zoning around landfills
A - *This most likely varies a great deal from jurisdiction to jurisdiction. Some studies have suggested a buffer of ½ a mile between a landfill and residential property, but there are no hard and fast rules. NCDEQ requires a 300' buffer, which is exceeded at the SWLF.*