

DUTCHESS COUNTY RESOURCE RECOVERY AGENCY

MAY 21, 2015 – MEETING MINUTES

A meeting of the Dutchess County Resource Recovery Agency convened at 5:00 p.m. at the offices of the Agency located at 96 Sand Dock Road, Poughkeepsie, New York. Those present included J. Small, Chairman; R. Mosca, Vice-Chairman; W. Nussbickel, Treasurer; and D. Petrovits, Board Member; Agency Staff, W. J. Calogero, D. Walsh and C. Tamney; Agency Counsel, J. Nelson; D. Leibnitz, HDR; and L. Carille, Dutchess County Deputy Commissioner, Division of Solid Waste Management.

- 1. Regular Session** – Chairman J. Small called the meeting to order at 5:10 pm.
- 2. Minutes** – Chairman J. Small presented the minutes of the April 16, 2015 board meeting. A motion to approve the April 16, 2015 board meeting minutes was made by R. Mosca, seconded by D. Petrovits and unanimously approved. Chairman J. Small presented the minutes of the May 14, 2015 special board meeting. A motion to approve the May 14, 2015 special board meeting minutes was made by W. Nussbickel, seconded by R. Mosca and unanimously approved.
- 3. Operating Report** – D. Walsh reported that the budget set for incoming waste for the month of April was 14,099 tons and the Facility received 14,348 tons, 249 tons over budget, bringing the year-to-date tonnage right in line with the budget, 48,000 tons. Incoming tonnage volume continues to be heavy.
- 4. Engineer Report** – D. Leibnitz reported that in April 2015 the total net Agency tons were 14,348 tons of MSW received. Actual tons processed were approximately 10,430 tons due to the Spring Outage. The official performance of the Facility in April (including the outage) was 190.77 net kWh/NAT electrical generation with 2.80% ferrous recovery and 23.15% wet ash generation.

Pit levels have been very high over the last several weeks (averaging between 3300 and 3800 tons) which make it difficult to estimate the amount of waste processed during short term time periods. In the 30 days (April 20 – May 20) since the conclusion of the outage, Wheelabrator has reported using their in-house data recording equipment that the electrical generating efficiency has been measured daily and has been between 290 and 320 kWh/ton processed. More accurate results will be available when more data is generated.

The efficiency of Unit 1, Unit 2 and the turbine/generator have been 93.5%, 97.2%, and 99.6% respectively, since the end of the outage. Wheelabrator has also indicated that their preliminary numbers indicate that they are producing slightly less than 32% ash since the outage ended.

The annual emissions compliance test was concluded today at noon. Indications are good that all tests passed. Yesterday, the NYSDEC was on-site to witness the test and to help finalize the explanatory letters that will be addressed to NYSDEC in an effort to avoid any fines related to the actions of the former Wheelabrator environmental and safety coordinator.

5. **Agency Financial Report** – C. Tamney presented the payables in the amount of \$1,263,099.77. Chairman J. Small asked if the HDR Engineering bill for \$54,535.87 included the fees for the review of the state environmental compliance reports. D. Leibnitz replied that it does include the fees, which are approximately \$22,000.00, for HDR's senior environmental consultant, S. Mills to review, complete and follow-up on the mandatory environmental reporting. The Board requested a letter be sent to the operator, requesting that their environmental/safety coordinator vacant position be filled immediately and that the expenses incurred by the Agency be reimbursed. J. Nelson will also look into the Operator's contractual obligation for staffing. Discussion continued over the specific environmental and legal litigation work done and fees associated in preparation of the mediation meeting.

A motion to approve the bills as presented for \$1,263,099.77 was made by D. Petrovits, seconded by W. Nussbickel and unanimously approved.

Review of the Accounts Receivable Aging indicates that East Coast still has not made any attempt to pay their outstanding balance. L. Carille will send them notification that they are above what the preliminary regulations allow for outstanding funds due to the Agency.

D. Petrovits inquired about the disposal costs of ash generated from the plant and of any other potential uses of the ash. W. Calogero replied that the total cost is approximately \$39.00 per ton. D. Petrovits offered to explore the possibility of using ash with his business and L. Carille replied that she will look into the contacts given in the past from the NYSDEC and will advise the Board of her findings at the next meeting.

6. **Public Comment** – There was no public comment.
7. **Executive Session** – At 5:52 pm a motion to move into Executive Session was made from D. Petrovits, seconded by R. Mosca and unanimously approved for attorney/client discussions regarding the Covanta litigation.
8. **Regular Session** – The meeting resumed back into public session at 6:44 pm.

Resolution No. 807 – Special Waste Contract

The Executive Director, with the assistance of Agency Counsel, is authorized to contract with Stericycle Inc. to receive and dispose of non-hazardous treated medical waste during the balance of 2015 on financial terms acceptable to the Chairman of the Agency Board and the Executive Director, at a maximum delivery rate per month consistent with the Agency's contractual and other obligations, provided that such waste must be of a type which the

Agency is presently authorized to receive and process under its New York State Department of Environmental Conservation Part 360 permit, and further that the processing of such waste shall be consistent with all regulations acceptable thereto, which contract may be extended by mutual agreement of the parties for a total term or terms through December 31, 2018. A motion to approve Resolution No. 807 was made by R. Mosca, seconded by D. Petrovits and unanimously approved.

A motion was made by R. Mosca, seconded by Chairman J. Small and unanimously approved to appoint W. Nussbickel as Secretary to the Agency's Board which was currently vacant.

With no further business to discuss a motion to adjourn the meeting at 6:47 pm was made by W. Nussbickel, seconded by D. Petrovits and unanimously approved.

Respectfully submitted,

William J. Calogero
Executive Director