

DUTCHESS COUNTY RESOURCE RECOVERY AGENCY

OCTOBER 15, 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; W. Nussbickel, Treasurer/Secretary; and Board Members, T. LeGrand and R. Frost; Agency Staff, W. J. Calogero, and D. Walsh; 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 5:20 pm.
- 2. Engineer Report** – D. Leibnitz reported that in September the Facility conducted its scheduled fall outage. The third quarter performance of the Facility (3 months), based on Net Agency Tons and actual scale weights (without a pit correction) was as follows:

Total Net Agency Tons (NAT): 37,580.14
Total Electrical Production: 10,491.41 MWhs
Total Ferrous Recovered: 1,735.9 tons
Total Residue Produced: 14,032.86 tons

Third Quarter Electrical Production Efficiency: 279.17kWh/NAT (penalty assessed \$47,056)
Third Quarter Ferrous Metal Recovery: 4.62 percent of NAT
Third Quarter Ash Residue Ratio: 37.3 percent of NAT

Excluding the September outage month the electrical production efficiency for the two month period of July and August was 304.15 kWh/NAT.

The Fall Facility outage started with Unit No. 1 on Sunday, September 13th and continued until September 20th. The main items repaired included Inconel overlay replacement and major tube replacement of all the generating bank tubes. Unit No. 2 followed with the main repairs being the replacement and repair of welded and Inconel covered areas of the coaxial “spider” pipe. This repair was required due to poorly applied and maintained Inconel protection to this section of boiler pipe during past outages. Unit No. 2 started receiving waste the morning of September 25th.

There was also a standard air cool condenser wash with the steam jenny that has improved the components of the turbine substantially.

Mr. Joshua Malott came on site on October 5th as WTI’s new Environmental, Health and Safety Coordinator for the Facility.

HDR/Agency continued discussions with the NYSDEC related to minor revisions to accommodate the receipt of TRMW as well as to restart the renewal process for the Facility Operating Permit. The Agency’s request for the minor revisions was formally submitted on October 14th. A meeting on site with the NYSDEC has been scheduled for October 22nd.

A detailed request for information from the USEPA was received by the Agency on September 9th. On October 8th, HDR and the Agency were informed by the USEPA that they will not be approving our extension request. All the data from July 1, 2014 and forward, during WTI's operation of the Facility will need to be provided. For the period during Covanta's operation the USEPA is requesting, from the Agency, copies of all data that is still on site. All detailed data from this time period will be requested by the USEPA directly to Covanta. This submittal to the USEPA is due November 9th.

3. **Operating Report** – The Facility received 13,299 tons of waste during the scheduled outage month of September. This is 1,200 tons over what the monthly budget was estimated to receive for the given month. The year-to-date tonnage is running 2,000 tons under the budget. Waste volume has increased in October and should continue through the end of the year.
4. **Agency Financial Report** – The payables were presented in the amount of \$1,102,439.43. Chairman J. Small asked if the HDR bill for \$52,211.87 was broken down into subcategories. D. Leibnitz replied that it is in three categories. General engineering fees were \$3,800.00; environmental services was \$9,600.00; and litigation assistance was \$38,800.00 that consisted of three full affidavits. J. Nelson added that they were technical affidavits explaining what condition the plant was and was not in amongst other things.

J.Nelson presented a letter from Michael Catania of Catania, Mahon, Milligram & Rider, PLLC explaining his services done on the Covanta litigation and requesting the additional balance due of \$1,778.00 from his initial invoice. After a discussion, it was mutually agreed to pay the outstanding balance due; however, in the future, all services performed for the Agency are to have a retainer agreement in writing, not just verbal, and any not-to-exceed dollar amounts for services done are final and to be paid as agreed.

A motion to pay the bills as presented for \$1,102.439.43 was made by T. LeGrand, seconded by R. Frost and unanimously agreed.

5. **Executive Session** – A motion was made at 5:45 pm by T. LeGrand, seconded by W. Nussbickel and unanimously approved to move into attorney/client session for discussions pertaining to the Covanta litigation.
6. **Regular Session** – The meeting resumed back into public session at 6:17 pm.

With no further business to discuss at 6:18 pm a motion to adjourn the meeting was made by T. LeGrand, seconded by R. Frost and unanimously approved.

Respectfully submitted,

William J. Calogero
Executive Director