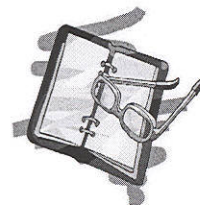




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Wednesday, May 18, 2005

Council weighing IESI contract

Leffingwell cites concerns about safety, environment, public process

Council Member-elect Lee Leffingwell sent an email to the City Council yesterday, expressing concerns about the proposed contract between the city and IESI that would allow the private company to take over operations of the city's landfill on **FM 812** south of **Austin-Bergstrom International Airport**. Leffingwell, who is taking a brief vacation with his late wife's family, told *In Fact Daily*, "I don't have all the facts, but I have just heard a lot of concerns." He listed those concerns as environmental and aviation safety-related, adding that he thought the decision required more public process. The contract is on Thursday's Council agenda.

Leffingwell said he was impressed by concerns raised by members of the **Solid Waste Advisory Commission** as well as those of local pilots. Leffingwell was a military and commercial pilot before retiring. "There seems to be at least the possibility that a landfill located in the takeoff/approach path of the north-south runways at **ABIA** could present a significant aviation hazard. It seems to me that it could prove very difficult to adequately enforce measures which exclude certain types of trash that would attract birds." Although the site has operated as a Type I landfill, meaning it takes in a variety of municipal solid waste, it will become a Type IV landfill under IESI. **Jeff Peckham**, regional vice president for IESI, explained that a Type IV landfill takes only construction and development waste. "It doesn't attract any more birds than the natural habitat would," he said.

"We have onsite people from dawn to dusk, all hours of operation, and the site is fenced and will be fenced in its entirety," said Peckham. He also said the company had agreed to take more precautions than required by state regulations. That includes an agreement to cover new waste "on a daily basis and fully cover (the site) on the weekend. We'll either cover it with dirt or with a tarp," Peckham said, "and that's the same process used at most landfills, but (Type IV) landfills can be left uncovered for a week." In addition, he said the company had developed a wildlife control plan "to make sure we will deal with any problems that might develop. We have not experienced any issues . . . There's nothing the landfill is going to cause to happen."

Bob Gregory of **Texas Disposal Systems**, the only other bidder on the landfill, has not only questioned the process by which IESI got the contract, but has also predicted dire consequences if the city does the deal. He said in an email to **Travis County Commissioners**, "It is my opinion that it may be the biggest environmental liability

decision the City Council could make, if the City approves the proposed contract. I encourage you to monitor this process, since the expansion allowed in the proposed contract could significantly increase the likelihood of another land/trash slide into **Onion Creek** like the one that occurred at the City landfill in 1991." But Peckham suggested that TDS was raising questions not because of legitimate concern but because the company wanted to eliminate the competition.

Mayor Pro Tem Jackie Goodman and **Council Member Raul Alvarez** voted against the decision to proceed with the contract last November. (See *In Fact Daily*, November 19, 2004)..Some other members of the Council may not be ready to proceed on Thursday either.

Council Member Danny Thomas said he had concerns related to the Solid Waste Advisory Commission's failure to recommend the contract. He said he would be gathering more information today so he could decide whether to vote to postpone the item tomorrow. Thomas said he wants to be hear more from the contract's opponents, while being considerate of IESI as well.

But **Council Member Daryl Slusher** pointed out that the **Federal Aviation Administration** has approved city and IESI-operated landfills on FM 812. He said his major concern was the cost to the city of having no Category IV landfill.

Peckham said the city is currently incurring costs estimated to be \$500-800,000 per year. If the contract goes into effect as of Sept 1, many of those costs would be eliminated. The city would have to continue to operate the current leachate collection and handling and the city will continue to operate the landfill gas system, which Peckham described as a benefit to the city. IESI has offered to pay the city \$1.5 million within 60 days of signing the contract and millions more later. The **Texas Commission on Environmental Quality (TCEQ)** must approve IESI's permit to operate the landfill, which Peckham described as a two to four-year process with "full public hearings." The contract could be in effect for 65 years, including tending the landfill after it is filled with debris. **react**