



CITY OF HUNTINGTON

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PRESS RELEASE

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CITY OF HUNTINGTON TO BEGIN PARTIAL CLOSURE OF LANDFILL

After 46 years City Landfill nearing end of useful life. City to begin design of partial closure and take steps to make the most of remaining space.

HUNTINGTON, IN – Initially opened in 1970, the City of Huntington acquired additional property for a planned expansion of its landfill facility in the mid 1990’s to meet its future waste disposal needs. A 1996 expansion permitted the City to expand its landfill laterally by utilizing a clay liner. Shortly thereafter, IDEM enacted rules that prohibited the use of a clay liner system and required closed landfill cells to utilize a composite liner and cap system comprised of various drainage layers and composite covering, commonly referred to as *Subtitle “D”*.

In 1994, while planning for that expansion, it was estimated by City officials that the life of the landfill would be extended by 20-80 years. Those estimates were based on a number of variables, including recycling (which is estimated to reduce landfill waste by 30%). At that time, the City was accepting 30-35 tons of waste at the landfill each day (today the City receives, on average, 88 tons of daily waste).

Early in 2009, the City’s curbside recycling provider determined that it would end its recycling contract with the City. Its decision was based on the significant decrease in the value of recyclables, partially due to the economic recession at the time, and the City’s plans to partner with a waste-to-energy company which had begun discussions with the City in 2008. The waste-to-energy project never came to fruition and Council ended the City’s agreement with it in February 2014.

Believed to be in response to legislation enacted in 2008 which limited municipal resources, in 2009 the then current administration began accepting out-of-county solid waste. In 2011 and 2012 the City accepted a large amount of out-of-county waste which generated an additional 100 tons each day. Combined with the 75 tons of in-county waste, the City accepted, on average, 175 tons of solid waste each day, or approximately 5 times its daily total compared to 1994 figures. It is estimated that from 2009-2014, the City lost 4.43 years of landfill life by accepting that out-of-county waste.

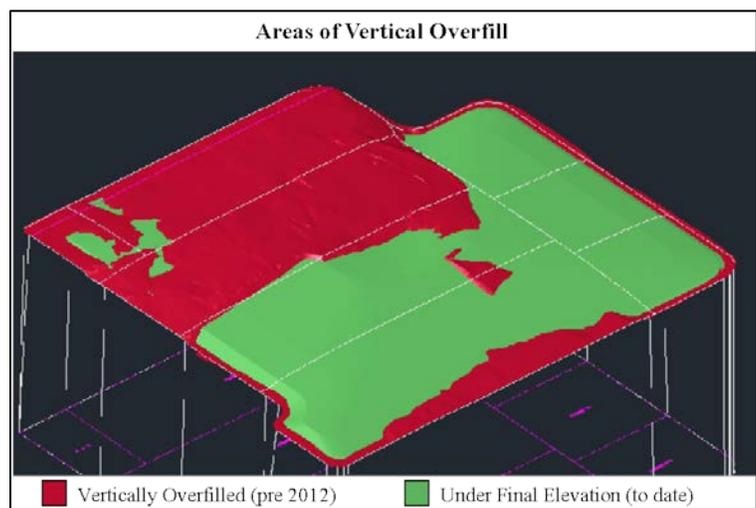
City Landfill Solid Waste by Origin		
Year	Out-of-County Waste (Tons)	In-County Waste (Tons)
2009	3,073	19,466
2010	13,970	18,675
2011	27,850	19,151
2012	26,559	19,839
2013	7,222	18,527
2014	6,434	21,467
TOTAL	85,108	117,125

In 2013, the administration made a change in its landfill personnel leadership. It then contacted IDEM and requested a compliance audit and inspection. That November 7, 2013 audit and inspection brought to light several serious issues:

1. The landfill was 3 months behind on its payment of solid waste management fees;
2. The City did not have, and never had, a properly certified landfill operator (as required by the State of Indiana);
3. The landfill was still accepting prohibited industrial waste that was identified by IDEM in an April 5, 2010 letter to the previous leadership personnel;
4. Approximately 10 of the 60 acres of the landfill that were filled and required to be closed prior to 2012, had not been permanently closed.

Immediately following that inspection, the City took steps to resolve as many of the violations as possible. The City promptly paid its overdue solid waste management fees and those fees remain current. For the past two years, the City has employed three certified landfill operators. The City immediately stopped accepting the prohibited industrial waste and will complete additional and costly testing to meet IDEM requirements resulting from the unauthorized acceptance of the waste. The City's landfill permit requires areas to be permanently closed within 180 days of receiving final solid waste. In April of 2014, City Council approved funding for partial landfill closure design for the 10 acres in question and the City selected a consultant and entered into a design contract. The City and its consultant then worked diligently on partial closure plans and approvals.

After conducting a site survey as part of the partial closure design, it was discovered in late 2014 that several areas of the landfill had been previously overfilled both vertically and horizontally. This overfilling occurred beyond the landfill's permit boundaries and in a manner that did not allow for a final cap to be installed consistent with IDEM's "slope" requirements. As part its IDEM requirements, the City is required to survey the landfill each year and submit the results of that survey to IDEM for review. These historical surveys allowed the City to determine that a majority of the vertical overfilling occurred between 2007 and 2011 and the horizontal overfilling occurred between 2007 and 2009. In spite of annual surveying and regular on-site inspections, the City was never made aware of the overfilling at its landfill until 2014. To date, the City continues to have surveys of its landfill completed more frequently than required to ensure that overfilling will not reoccur.



Initially, to address the overfill issues, IDEM recommended that the City expand its landfill permit boundary to encompass the overfilled areas. City Council was presented with details of the overfilling and plans for a new landfill expansion at its January 27, 2015 meeting. Unfortunately, IDEM almost immediately reversed course and told the City that it would not be able to expand any part of its landfill due to its proximity to the City's south well field and it being within its wellhead protection area. (In 1996 IDEM revised its landfill location rules to prohibit landfill expansions and new landfills from occurring in wellhead protection areas; however, because the City did not complete its wellhead delineation for the south well field until 2000, this resulted in the landfill being prohibited from ever expanding at about the same time IDEM permitted the 1996 landfill expansion.)

The City met with senior IDEM administrators in April of 2015 to get clarification on this fluid situation and learn why IDEM, in spite of regular inspections and surveys filed with it, continued to allow overfilling without notifying the City. To date, IDEM has not provided the City with an answer. Notwithstanding this, the City continued to work with IDEM to identify solutions to all of the outstanding issues. The City conducted numerous excavations to determine the type and extent of the overfill waste. IDEM was especially concerned with the locations of the unpermitted industrial waste deposited in the landfill. The City was notified in August of 2015 that IDEM would issue the City an Agreed Order to enforce compliance.

The City again worked with IDEM to negotiate a settlement as part of the Agreed Order that was in the best interest of the City and its residents. On March 15th, City Council was presented with a comprehensive overview of the current issues at the landfill and the Agreed Order. The Agreed Order contains strict deadlines for coming into compliance. The Agreed Order requires, among other things, that the City:

1. Design and submit closure and post-closure plans to IDEM within 270 days which must address final grades, overfill delineation, and utilization of a *Subtitle "D"* composite cover.
2. Close portions of the landfill that should have been closed prior to 2012 and portions that are estimated to be ready for closure in the near future. The City anticipates closing 25-35 acres of its landfill in 2017.
3. Forego the construction of 7 acres of landfill cells permitted in 1996 in order to account for the overfill that occurred prior to 2010. Construction (not including closure) of these additional cells were estimated to be around \$7M and only yield approximately 7 additional years of landfill space.
4. Pay a civil penalty of \$15,625 for accepting unpermitted industrial waste after IDEM notified the City in 2010 to cease such activity. The City, however, is hopeful that IDEM will allow it to offset all or part of the penalty by completing environmental improvement projects (such as energy efficient upgrades).

The matters addressed by the Agreed Order are indeed serious and due, in part, to actions taken by the City as much as 9 years ago; however, the fact remains that the City's landfill is nearing the end of its useful life. It cannot be expanded due to its geographic location in the wellhead protection area and the fact that it is cost prohibitive in light of the applicability of *subtitle "D"*. As a result, the City must begin to close portions of the landfill in the near future and prepare for final closure shortly thereafter. At its meeting this morning, City Council approved initial funding necessary to immediately begin design of the partial closure and move the City one step closer to compliance.

It is the City's intent to continue resolving the immediate issues and to progressively work through the series of decisions that must be made for the future. The City is committed to extending the remaining landfill life for the benefit of City residents and taxpayers. For example, in September 2012 the current administration sought to curb out-of-county solid waste being deposited into the landfill by significantly increasing out-of-county waste cost per ton thereby making it cost prohibitive for many haulers. This resulted in a 72% reduction in out-of-county solid waste in 2013. Most recently, on March 21, 2016, the City' Board of Public Works and Safety voted to terminate acceptance of all out-of-county solid waste at its landfill effective April 30th. In order to further extend the life of the landfill, the City will continue to analyze and adjust its waste acceptance policies and explore reimplementation of curbside recycling. It also encourages residents to do their part by utilizing the convenient recycling drop-off locations throughout the community.

All additional long term waste disposal solutions and consideration of how to best utilize the existing landfill property to effectively meet the needs of City residents in the future will be analyzed and fully vetted. The solutions which will be most beneficial will be implemented in the most cost effective way.