

# Solid Waste Management

*Council Work Session*

*June 8<sup>th</sup>, 2021*

Sally Hamilton, Chief Administrative Officer

Nancy Albright, EQPW Commissioner



**LEXINGTON**



# Solid Waste Management Planning

## *Each County's Responsibility*

- KRS 224 places authority with local governments for determining how to dispose of their solid waste. Requires plan approval from Energy and Environment Cabinet.
- Plans cover five years, with annual updates.
- Plan has to address the destination of the waste generated in that county with assurance that there is sufficient capacity for 10 years.
- Each plan has a public participation requirement.



# Solid Waste Management Planning

## *Scott County's Plan Amendments*

- Scott County amended their plan to specify that there would be no capacity for waste disposal in Scott County once WSB's capacity was exhausted.
- This amendment went through the public review process.
- Their amended plan specifies Benson Valley Landfill in Franklin County as the first destination for Scott County solid waste.
- Scott County's Plan Amendment was approved by the state 8/12/2020.



# Solid Waste Management Planning

## *Waste Services of the Bluegrass*

- Since 2012, WSB has been trying to expand the landfill.
- Lawsuits have been filed to oppose expansion.
- In the meantime, WSB asked the state for additional capacity under its permit so the landfill can continue accepting waste.
- Because Scott County's amended solid waste plan would not allow additional capacity, the state returned their request to them.
- WSB is contesting Scott County's amended solid waste plan and the state's refusal of their request.
- Those petitions are pending before a hearing officer in Frankfort.
- Once a final order is issued, an appeal can be made to Franklin Circuit Court.



# Solid Waste Management Planning

## *Fayette County's Plan*

- Per our contract, WSB identifies the Central Kentucky landfill in Scott County as the destination of our solid waste.
- This landfill was directed to cease operations no later than 10/31/21.
- 1/22/21 letter from the state Div. of Waste Management (DWM) advised LFUCG to make plans for an alternate landfill.
- 2/2/21 LFUCG notified WSB to provide their plans for uninterrupted service to Lexington.
- 2/26/21 WSB replied; noted ongoing litigation, intention to continue service without interruption, using other area landfills if necessary.
- 5/7/21 Commissioner Albright and team met with state DWM on potential solid waste plan amendments.



# Current Waste Contract

- **We anticipate that WSB will continue to honor and fulfill our contract**
- Contract is to operate the transfer station and dispose of waste.
- Rate for residential disposal \$17.75 per ton.
- Contract awarded in July 2015 following extensive RFP process.
- Five-year term; with one renewal option for a second five-year term, which we exercised in 2020. LFUCG had to decide before 7/1/19 if we wanted to exercise the renewal.
- Capacity issues were discussed when bid was awarded, application to expand their current landfill was identified along with backup facilities.
- Performance bond of \$1.5M.



# Contingency Planning

- This is a vital service for our city.
- Potential disposal sites and transfer stations shared by KY DWM.
- Continue to monitor outcomes of the court cases.
- Review terms of current contract.
- Continue the conversation with all parties.



**Questions?**