

**REQUESTING DEPARTMENT:** Austin Resource Recovery (ARR)

**SUBJECT:** Approval of a landfill criteria matrix developed in response to the recommendation by the City Council Waste Management Policy Working Group.

**AMOUNT & SOURCE OF FUNDING:** N/A

**FISCAL NOTE:** A fiscal note is not required.

**PURCHASING LANGUAGE:** N/A

**PRIOR COUNCIL ACTION:**

Council Resolution No. 20170323-055 formed the City Council Waste Management Policy Working Group “to examine waste management and biosolids policy issues and contracts, especially as they relate to organics and recycling.”

July 21, 2017 – City Council Waste Management Policy Working Group published recommendations (<http://austintexas.gov/workinggroup>).

**FOR MORE INFORMATION CONTACT:** Richard McHale, ARR, 974-4301; or Sam Angoori, ARR, 974-4313

**BOARD AND COMMISSION ACTION:**

November 8, 2017 – Zero Waste Advisory Commission (ZWAC) considered draft landfill criteria

January 10, 2018 – ZWAC considered draft landfill criteria

February 14, 2018 – ZWAC recommended that ARR staff enact an inclusive stakeholder process to further refine the draft landfill criteria, including consideration of several proposed changes.

October 10, 2018 - ZWAC to consider landfill criteria.

**MBE / WBE:** N/A

**Related Items:** N/A

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**Additional Backup Information**

This action seeks Council approval of a landfill criteria matrix to identify landfills eligible to receive city-controlled municipal solid waste (MSW).

Subsequent City solicitations that include landfill disposal of MSW would require vendors to use only eligible landfills on the appropriate list (Type I or Type IV).

## **BACKGROUND**

During the fall of 2016 and spring of 2017, the City Council rejected a number of staff-recommended contracts in response to objections from the Zero Waste Advisory Commission and other stakeholders. In March 2017, Council approved Resolution No. 20170323-055 to form a Working Group to identify concerns from industry representatives, commissioners and citizen advocates.

At several public meetings in April and May, 2017, the Council Working Group considered public input on eight questions from city staff. On July 21, 2017, the Working Group issued its set of recommendations on those questions. Question 2 was, “Should materials be directed to or away from certain landfills in future solicitations?” The Working Group answered, “Yes, materials should be directed to or away from certain landfills through the use of a landfill criteria matrix that reflects Council’s environmental priorities.”

In addition, the Working Group recommended that staff develop landfill criteria “to include considerations such as: community impact and social equity, carbon footprint, amount and type of waste, existing levels of hazardous materials at landfill. Staff should prepare this matrix and it should come before the Council for approval before implementation.”

## **PROCESS**

Staff drafted and presented a landfill criteria matrix to the Zero Waste Advisory Commission (ZWAC) at the Nov. 8, 2017 and Jan. 10, 2018 meetings. At its Feb. 14, 2018 meeting, ZWAC approved a resolution recommending that ARR staff enact an inclusive stakeholder process to further refine the landfill criteria. The resolution also recommended changes in the staff-drafted criteria that should be included in the stakeholder input process.

From March through May of 2018, ARR hosted five public meetings for stakeholders led by an independent facilitator. ARR facilitated an additional public meeting conducted primarily for landfill operators. As a whole, participating stakeholders included:

- 60 individuals
- 26 individuals per meeting on average
- 6 stakeholder groups:
  - 13 haulers and landfill operators
  - 6 state, regional, or local government agencies
  - 1 university
  - 1 nonprofit
  - 4 engineering or consultant firms
  - 6 ZWAC members

These stakeholder meetings resulted in a set of draft criteria – some with general stakeholder consensus and others with limited support.

ARR staff used the stakeholder criteria as a starting point to develop the staff-recommended criteria. ARR staff evaluated each criterion based on whether it was specific and well defined, measurable and objective, achievable, relevant to Council or ARR priorities, and current. This

process involved gathering additional input from city departments (Equity Office, Office of Sustainability, Law Department, Corporate Purchasing, and Watershed Protection Department) and the Texas Commission on Environmental Quality.

Some stakeholder criteria were modified or omitted because they were not allowed by law, were standard industry practice, ambiguous, difficult to measure, or subjective. In addition, ARR refined some of the remaining criteria and developed a scope for their use in a Request for Information.

### **LANDFILL CRITERIA REQUEST FOR INFORMATION**

Staff's proposed process is to utilize the landfill criteria matrix to identify landfills eligible to receive city-controlled MSW. Each potential landfill would submit the matrix information through a Request for Information (RFI).

In practice, the City of Austin would issue the RFI and receive the responses from landfill operators. Each landfill operator would receive a score based on the landfill operator's response to the RFI and publicly available information from local, state, or federal public agencies.

Based on the score, the City of Austin would develop two lists of landfills eligible to receive city-controlled waste – one for Type 1 landfills and one for Type IV landfills, which is less restricted.

City solicitations that include disposal of MSW would require that vendors use only landfills eligible to accept the city-controlled waste. Once a solicitation closes, changes in the landfill score will not affect the contract.

The following table summarizes the draft criteria and proposed scoring.

<b>Pts</b>	<b>Draft Criteria</b>
<b>Carbon Footprint</b>	
18	Estimated landfill gas collection emissions *
2	Onsite use of carbon-free energy
5	Landfill gas beneficial use *
<b>Environmental, Zero Waste, and Sustainability</b>	
10	Permit compliance
15	Zero Waste / beneficial waste diversion
<b>Operational Safety</b>	
10	Safety record
15	Onsite fatalities or catastrophes
<b>Community Impact and Social Equity</b>	
15	Workforce diversity policy
10	Living wage and benefits

\* These criteria are not included in the criteria for disposal of MSW at Type IV landfills.

**ZERO WASTE ADVISORY COMMISSION RECOMMENDATION**

**On October 10, 2018, the Commission voted XXX**

**STAFF RECOMMENDATION**

Staff recommends adoption of the attached landfill criteria matrix to identify landfills eligible to receive city-controlled municipal solid waste (MSW).

**FISCAL IMPACT ASSESSMENT**

Annually, the City of Austin will issue the RFI, process the responses, and develop the two lists of eligible landfills.