

County raises landfill rates

PRINT EMAIL

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With the Powell landfill facing closure in the next two years, the sign may soon read “DUMP THERE” — as in, over at a lined Cody landfill. In the interim, tipping fees at all county landfills are slated to increase by 50 percent this year. In this picture, Powell equipment operator Tony DiPilla scrunches down a freshly dumped pile of trash. Tribune photo by Carla Wensky

Frustration on all sides

Expect your garbage bill to take a hike by this fall.

On Tuesday, overriding the concerns of Powell and Cody officials, Park County Commissioners voted to raise landfill tipping fees by 50 percent — effective Oct. 1. More increases are likely in coming years.

The cities of Powell and Cody have contracts with the county running through July of 2010, which set the landfill tipping fee at \$60 a ton. However, with Tuesday’s action, the commission gave notice that they are voiding the contracts and raising rates to \$90 a ton.

Cody Administrator Andy Whiteman told commissioners that the rate increase will cost Cody residents an additional \$44 a year (about \$3.70 a month) and commercial businesses \$433 a year (\$36 a month).

Comparable Powell numbers should be available by next week, said City Administrator Zane Logan.

“Of course it (the landfill fee increase) is going to have a significant impact on rates,” he said.

“We’re all going down the road that nobody wants to be on,” said Commissioner Dave Burke on Tuesday. “And we’re all going to end up in the place that nobody wants to be.”

The place is the Cody landfill, which the state Department of Environmental Quality is requiring to be lined.

The DEQ says leachate — contaminated run-off from the garbage — is reaching groundwater at the site. Without installing a liner, the Cody site would have to be shut down, according to the department. Powell, Clark, and Meeteetse are in a similar boat, and the county has determined that lining those sites would be cost-prohibitive.

They'll be shut down in coming years.

The county has tried to contend that the Cody site does not need a liner — saying that the water beneath the site is of poor quality, and that there's little of it.

In a meeting with the DEQ last week, the county unsuccessfully pleaded its case.

"If there is conflicting science, can we at least land on the side of our constituents?" asked Commissioner Jill Shockley Siggins.

DEQ representatives said the evidence shows that Cody's landfill is leaking, and that by state statute, all groundwater must be protected.

"Wyoming is more protective of groundwater quality (than federal rules). Period," said Leroy Feusner, head of the DEQ's solid and hazardous waste division.

"It sounds like, 'You're going to line if you like or not,'" said Commission Chairman Bill Brewer.

Commissioners also expressed concern with the cost of lining — estimated to be \$4.5 million for the first cell.

Park County is one of the first landfills to have to go through the lining process. State Senator Hank Coe, R-Cody, expressed concern that the standards will change after this county's experience.

"I just want to make sure we're not being treated differently than others," Coe said.

"We're ahead of the curve and yet we're being punished for it," said Commissioner Bucky Hall.

"You got the bad news first, I guess," said DEQ program manager Bob Doctor.

"We're going to build a Taj Mahal, and the users of the landfill are going to scatter like crazy and go to other landfills," said Hall. "And we're stuck with a white elephant."

However, Hall noted, even if the county was exempted from installing the actual plastic liner, it wouldn't make a large difference — probably saving no more than \$4 to \$6 a ton. Installing monitoring wells, leachate collection ponds, and creating closure reserves are among the new expenses.

Continuing the elephant analogy, "The liner cost is only the leg, probably," Doctor said.

The county's previous consultant recommended installing the liner, rather than spending the money fighting the DEQ and possibly still losing.

Feusner offered a potential one-year extension on the Cody and Powell sites to give the county more time to plan and compile funding, but that may not change things.

To help pay for the initial \$4.5 million lined cell cost, the county has applied for \$1.74 million of state clean water funding. The funds are available under the American Recovery and Reinvestment Act. Half of the sum would be a grant and half a low-interest loan. The catch is that the lining must be under contract by the end of the year.

Waiting would make the county ineligible for the funding.

"If we're going to line, we can't afford to lose that ARRA funding," Burke said.

However, it's not a given that the county will receive the money. Feusner said the county's application is seen as "extremely favorable," but there is only \$19.2 million available, and more than \$32 million in requests.

The State Loan and Investment Board will disperse funding May 12.

Frustration with the process and expense bubbled over at Tuesday's meeting, attended by Powell and Cody officials.

After the commission voted 4-1 to raise the tipping fee, one citizen muttered expletives and left.

Commissioner Tim French criticized state Rep. Pat Childers, R-Cody, who has said that the county shouldn't have to line.

"I'm getting really tired of hearing Pat Childers say, 'I don't think you have to do that,'" said French. "They (the DEQ) were pretty resolute."

"I'm not trying to get into a fight with the commissioners, but I am disgusted with the DEQ," said Childers on Wednesday.

He said he hopes to introduce a bill next legislative session that would provide some liner flexibility for sites like Cody with poor water quality and little water.

French also took issue with comments made by members of the Cody City Council.

Councilwoman Jona Vanata was quoted in the April 6 Cody Enterprise saying that the county should have lined up the funding earlier.

"They (the commissioners) have known for so many years it was coming, and somebody dropped the ball," Vanata said.

Councilman Stan Wolz was also quoted saying, "Lucy, you've got some 'splainin' to do."

"What 'splainin' to do?" asked French on Tuesday. "We've been working on how to pay for this for years."

Wolz said the comment was taken out of context.

Only recently did the county finally acquire the 65-acre Bureau of Land Management parcel needed for an expansion at the Cody site. Without the land in hand, the county couldn't compile a plan for the future, and without a plan in place, the county couldn't go before the city councils and private contractors and ask for a rate increase based on an unknown number.

That dilemma has been on full display recently.

Powell Mayor Scott Mangold said he is hesitant to raise Powell's rates until the county has firm numbers. At this point, he said, "We have to guess."

Rather than raise fees, Cody Administrator Whiteman said the commissioners should wait and consider a capital facilities tax for the first cell construction. That, Whiteman said, would result in tourists paying a little over a quarter of the needed landfill money.

Cody Councilman Charles Cloud asked if the county could do a phased increase rather than a jump to \$90 per ton. French noted that \$90 is a phased increase on the way to an estimated \$114 per ton.

Commissioner Chairman Brewer voted against raising the rates in October, expressing concern that the county was moving too fast.

On Wednesday, Mangold said the meeting felt like a waste of time.

"It seemed they (the commission) had already made up their mind," he said.

Cody Mayor Nancy Tia Brown said she's hoping for additional dialogue with the county.

"It's all about communication," Brown said. "Everybody's frustrated."

At Tuesday's meeting Powell Councilman Don Hillman urged everyone to avoid arguing back and forth.

Otherwise, he said, "It's just going to be a big mess."