COUNTY AGENDA REQUEST

Department:	Solid Waste and Recycling	Presenter(s):	Vanessa Birrell
Meeting Date:	Thursday, May 9, 2013	Type of Request:	Consent

Wording for the Agenda:

Approval of staff's request to make application to the Hazardous Waste Trust Fund (HWTF) for reimbursement of groundwater monitoring expenses associated with Monitored Natural Attenuation(MNA) at the Southside Landfill, and approval for the Chairman to sign Resolution 2013-12 granting staff authorization to make application for reimbursement.

Background/History/Details:

The Hazardous Site Response Act was enacted in 1992, authorizing the Environmental Protection Division (EPD) to clean up hazardous sites that threaten human health or the environment. The EPD uses the Hazardous Waste Trust Fund (HWTF) to reimburse local governments working to investigate and clean up their sites. Local governments may receive up to $2,000,000 for clean up of their landfill if it is listed on the Hazardous Site Inventory. The first $500,000 of eligible expenses are reimbursed at 100%. Expenses beyond $500,000 are reimbursed at a 50% rate up to a cap of $2,000,000. On March 27, 1997, the Southside Landfill was listed on Georgia Environmental Protection Division's Hazardous Site Inventory for known release of Vinyl Chloride in groundwater at levels exceeding the reportable quantity.

Fayette County conducted an Assessment of Corrective Measures (ACM) study to identify, screen, and select appropriate corrective measures to mitigate groundwater impacts identified at the Site. This study recommended natural processes to reduce concentrations of undesirable constituents in groundwater. Groundwater samples are collected semi-annually to assess this process.

The Georgia Environmental Protection Division requires the state or local government to adopt an authorizing resolution as part of the criteria that must be met in order for the costs (or portion thereof) to be eligible for reimbursement.

What action are you seeking from the Board of Commissioners?

Approval of staff's request to make application to the Hazardous Waste Trust Fund (HWTF) for reimbursement of groundwater monitoring expenses associated with Monitored Natural Attenuation(MNA) at the Southside Landfill, and approval for the Chairman to sign Resolution 2013-12 granting staff authorization to make application for reimbursement.

If this item requires funding, please describe:

Not Applicable.

Has this request been considered within the past two years?	No	If so, when?	
Is Audio-Visual Equipment Required for this Request?*	No	Backup Provided with Request?	Yes

**** All audio-visual material must be submitted to the County Clerk's Office no later than 48 hours prior to the meeting. It is also your department's responsibility to ensure all third-party audio-visual material is submitted at least 48 hours in advance.***

Approved by Finance		Reviewed by Legal	
Approved by Purchasing		County Clerk's Approval	Yes
Administrator's Approval			

Staff Notes:

This request allows for eligible expenses that will be reimbursed, if awarded, to $14,503.00 per year.

HSI No.	Permit No.	Landfill Name	County
10451	056-006D(S	1st Manassas Mile Rd MSWLF	Fayette

Hazardous Waste Trust Fund Application for Reimbursement
Invoice Payment Table

Instructions: ***For each invoice for which reimbursement is requested, please provide all of the information requested below. As part of the application , you are required to submit a copy of each invoice and a copy of the canceled check (front and back) showing payment of each invoice.***

When submitting your application, you MUST attach the invoice to the copy of the canceled check (front and back), and present the invoices in the order in which you list them below. Failure to follow these instructions will delay the processing of your application for reimbursement.

Please see the list of Item Description Codes on the following sheet. For each invoice, please indicate the corresponding Item Description Code in the box provided.

Invoice No.	Invoice Date	Payee	Invoice Amount	Check No.	Check Date	Check Amount	Eligible Costs	Ineligible Costs	Item Description Code
81524	28-Nov-08	AEM	$5,274.09	905957	07-Apr-09	$5,274.09	$1,375.00	$3,899.09	7 (c)
91335	19-Aug-09	AEM	$317.25	101231	08-Sep-09	$9,508.75	$0.00	$317.25	
91347	26-Aug-09	AEM	$9,191.50	101231	08-Sep-09		$1,350.00	$7,841.50	7 (c)
101025	31-Jan-10	AEM	$317.25	105745	25-Mar-10	$11,453.50	$0.00	$317.25	
101026	31-Jan-10	AEM	$346.50	105745	25-Mar-10	$11,453.50	$0.00	$346.50	
101033	31-Jan-10	AEM	$346.50	105745	25-Mar-10	$11,453.50	$0.00	$346.50	
101034	31-Jan-10	AEM	$317.25	105745	25-Mar-10	$11,453.50	$0.00	$317.25	
101081	24-Feb-10	AEM	$346.50	105745	25-Mar-10	$11,453.50	$0.00	$346.50	
101082	25-Feb-10	AEM	$317.25	105745	25-Mar-10	$11,453.50	$0.00	$317.25	
101083	22-Feb-10	AEM	$2,228.00	105745	25-Mar-10	$11,453.50	$0.00	$2,228.00	
101131	26-Feb-10	AEM	$7,234.25	105745	25-Mar-10	$11,453.50	$1,250.00	$5,984.25	7 (c)
101373	12-Jul-10	AEM	$9,725.25	108257	22-Jul-10	$12,221.25	$1,750.00	$7,975.25	7 (c)
101374	12-Jul-10	AEM	$2,496.00	108257	22-Jul-10	$12,221.25	$0.00	$2,496.00	
101691	31-Dec-10	AEM	$6,946.25				$750.00	$6,196.25	7 (c)
071511-01B	15-Jul-11	Jacobs	$1,000.00				$310.00	$690.00	7 (c)
081511-01B	15-Aug-11	Jacobs	$2,000.00	120759	18-Sep-11	$8,700.00	$620.00	$1,380.00	7 (c)
090611-01B	06-Sep-11	Jacobs	$6,000.00	121489	20-Sep-11	$12,087.36	$1,860.00	$4,140.00	7 (c)
101411-01B	14-Oct-11	Jacobs	$1,500.00				$465.00	$1,035.00	7 (c)
110911-01B	09-Nov-11	Jacobs	$1,100.00				$345.00	$755.00	7 (c)
110911-06	09-Nov-11	Jacobs	$12,681.36				$828.00	$11,853.36	
080912-01B	09-Aug-12	Jacobs	$4,000.00				$1,240.00	$2,760.00	7 (c)
091212-01B	12-Sep-12	Jacobs	$4,000.00	131546	20-Sep-12	$11,929.07	$1,240.00	$2,760.00	7 (c)
101112-01B	11-Oct-12	Jacobs	$2,500.00				$775.00	$1,725.00	7 (c)
110812-01B	08-Nov-12	Jacobs	$1,100.00				$345.00	$755.00	7 (c)
								$0.00	
								$0.00	
								$0.00	
								$0.00	
								$0.00	
								$0.00	
								$0.00	
						Total Amount Eligible for Reimbursement:	**$14,503.00**		

STATE OF GEORGIA;
COUNTY OF FAYETTE

RESOLUTION NUMBER 2013-12

A RESOLUTION GRANTING AUTHORIZATION TO MAKE APPLICATION FOR FINANCIAL ASSISTANCE

WHEREAS, Fayette County is a local government as defined in the Rules of the Georgia Department of Natural Resources, Environmental Protection Division (hereinafter, "EPD Rules"), Rule number 391-3-19-.09; and

WHEREAS, Fayette County is a county within the meaning of O.C.G.A. Section 12-8-95(b)(4) and EPD Rule 391-3-19-.09; and

WHEREAS, the First Manassas Mile Municipal Solid Waste Landfill in Fayette County, Georgia is a solid waste handling facility as defined by EPD Rule 391-3-4-.10(67)(hereinafter, "the Site"), and has been placed on the Hazardous Site Inventory pursuant to the Hazardous Site Response Act (O.C.G.A., Section 12-8-90 et seq.); and

WHEREAS, the Director of the Georgia Department of Natural Resources, Environmental Protection Division ("EPD") has notified Fayette County in writing that it is a "responsible party" (as defined in EPD Rule 391-3-19-.02(2)(s) for the Site; and

WHEREAS, Fayette County has expended certain costs associated with the investigation, remediation, post-closure care and maintenance of the Site (hereinafter, "the Costs"); and

WHEREAS, the said "Eligibility Requirements" set forth in EPD Rule 3914-3-19-.09(2) require, among other things, that the following criteria be met in order for the Costs (or portion thereof) to be eligible for reimbursement:

> "…(e) the state or local government has adopted an authorizing resolution; and
> (f) the state or local government has submitted to the Directed[of EPD] a completed application for financial assistance on forms as provided by the Director…"; and

WHEREAS, Fayette County desires to make application to EPD for reimbursement of the Costs (or portion thereof) on the form(s) provided by the Director of EPD, and to take any other action which may be necessary or appropriate to have the Costs (or portion thereof) fully considered for such purposed; and

WHEREAS, in the event the attached applications are approved by the EPD, Fayette County desires to receive sums approved by EPD as reimbursement of the Costs (or portion therof), and to process, administratively handle and utilize said sums for such approved purposes; and

WHEREAS, Fayette County is confident that it can otherwise satisfy the "Eligibility Requirements" set forth in EPD Rule 391-3-19-.09(2);

NOW, THEREFORE, BE IT RESOLVED that the Chairman of the Board of Commissioners, on behalf of the Fayette County Board of Commissioners, is hereby fully authorized to complete and execute an application on behalf of Fayette County, for reimbursement to Fayette County by the Director of EPD from the Hazardous Waste Trust Fund (pursuant to O.C.G.A. Section 12-8-90 et seq., EPD Rule 391-3-19-.09 and other pertinent law), and to submit same to EPD for its consideration.

BE IT FURTHER RESOLVED that the Chairman is hereby authorized to take any and all other action, without further approval or action of the Fayette County Board of Commissioners (including, but not limited to, executing supplemental forms, application amendments, additional applications, and the like, and providing additional information or documentation), which may be necessary or appropriate in order for the Costs (or portion thereof) to be fully considered by EPD for reimbursement from the Hazardous Waste Trust Fund in accordance with the provisions of O.C.G.A. Section 12-8-90 et seq., EPD Rule 391-3-19-.09, and other pertinent law.

So resolved this 9th day of May, 2013 by the

BOARD OF COMMISSIONERS
FAYETTE COUNTY, GEORGIA

_____
Steve Brown, Chairman

ATTEST:

_____
Floyd L. Jones, County Clerk