

**1. Request For Proposals [RFP] Process**

At the beginning of 2012, the Saratoga County Board of Supervisors [BOS] started a process to identify potential interest by private companies in the County Landfill Facility. The Facility was permitted in 1998 and construction was completed in 2001. The Board of Supervisors decided to hold off on opening the Facility opting instead to rely on the Facility as an insurance policy in case the cost of disposal in the private market increased significantly. The County’s goals in soliciting privatization proposals for the Facility are to provide a safe, economically stable, local means of disposal for non-recyclable waste generated in Saratoga and neighboring counties, and to recognize a return on the County’s investment. This will help the County continue to stabilize property taxes which will in turn provide stability for residents, businesses and industries to prosper in Saratoga County. Final proposals were received on October 9, 2012 from New England Waste Services of N.Y., Inc. [Casella Waste Systems Inc.], Capital Regions Landfills Inc. [Waste Connections, Inc.], and Finch Paper LLC.<sup>1</sup> This report is a summary of the proposals submitted by, and the discussions with, each of the three companies.

**2. Financial Summary – Comparison of Final Proposals**

Company	Up-Front Payments	Annual Payments	Expansion Payments	Total Payments
New England Waste Services NY	\$ 87,425	\$ 9,470,583		\$ 9,558,008
Capital Region Landfills with Limited Expansion	\$7,500,000	\$ 9,827,350	\$20,099,000	\$37,426,350
Finch Paper with Valley Fill	\$6,000,000	\$33,000,000		\$39,000,000

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<sup>1</sup> On April 17, 2012 the BOS approved Resolution # 96-12 directing the issuance of the Draft RFP for the potential privatization of the Saratoga County Landfill Facility pursuant to the procedures established in Section 120-w of NYS General Municipal Law and rescinding Resolution # 112-99 which had previously established a policy that the County landfill facility would only be used for the disposal of solid waste generated in Saratoga County and that the landfill would only be owned and operated by the County .The Draft RFP was available for public review at the County Department of Public Works, the Northumberland Town Hall, the Ballston Spa Public Library, the Saratoga Springs Public Library, and was posted on the Saratoga County website, and an invitation for public comment was officially noticed on April 20, 2012 in the Saratogian, on April 23, 2012 in the Daily Gazette, on April 25, 2012 in the New York State Environmental Notice Bulletin, and on May 2, 2012 in the New York State Register. The public comment period was open through July 2, 2012, and the comments received on the Draft RFP and responses to the comments are contained in Appendix B in the Final RFP. The BOS considered the comments received and approved the issuance of a Final RFP by Resolution 07-17-12.The Final RFP was available for public review at the County Department of Public Works, the Northumberland Town Hall, the Ballston Spa Public Library, the Saratoga Springs Public Library, and was posted on the Saratoga County website, and an invitation for public comment was officially noticed on July 20, 2012 in the Saratogian, on July 20, 2012 in the Daily Gazette, on July 25, 2012 in the New York State Environmental Notice Bulletin, and on August1, 2012 in the New York State Register. All companies that ultimately submitted final proposals attended the mandatory site visit on August 28, 2012.

### 3. Evaluation of Final Proposals

a. **New England Waste Services of NY, Inc. [NEWSNY]** – NEWSNY proposed to utilize the County Landfill Facility under a long term lease to 1) utilize the existing landfill for non-municipal solid waste [MSW] and non-recyclable waste streams, and 2) develop a Regional Organics Management Facility [ROMF] which they describe as a state of the art facility that would put the County in a leadership position on organics recovery and provide infrastructure to support the tourism industry. Their base proposal would include utilization of the County landfill for non-MSW special wastes such as industrial sludge, municipal Wastewater Treatment Plant [WWTP] sludge, contaminated soils, and MSW incinerator ash. Initial development of the ROMF would include manufactured/reclaimed topsoil, and composting of various organic materials at the landfill.

#### i. Financial Proposal

ELEMENT OF PAYMENT	AMOUNT TOTAL	DESCRIPTION
1. Capital Purchase or Lease Payment to County	-----	
2. Payments to County	\$7,454,895	\$2.00 per ton 30 years
3. Payments to Northumberland	\$2,015,688	\$0.54 per ton 16 years
4. Payment From Energy Sales		TBD
5. Payment From Carbon Credits, RECs		TBD
6. Payment For Materials Recovery, Other Energy Recovery		TBD
7. Payment For Operating Equipment	\$ 87,425	
8. Other payments		
Total	\$9,558,008	

#### ii. Development and Operating Plan

1. Origin of Waste, Capacity, Waste Types, Daily Cover – NEWSNY indicated that they will “strive to meet the County’s goal” [a requirement of the final RFP] that at least 51% of the waste received will come from Saratoga County and neighboring counties. Their proposal is contingent upon securing a long term contract with Finch for the majority of their short paper fiber and a long term contract for the disposal of MSW incinerator ash. NEWSNY proposed an increase in capacity from 106,000 to

180,000 tons per year. They plan to use on-site soil from grading done for cell development for daily cover in addition to seeking alternative daily cover material. They would also use some of the materials from the Organics Beneficial Use Facility for cover, although this would be a high cost cover material compared to the use of other materials. The NEWSNY proposal would utilize the footprints currently approved by the New York State Department of Environmental Conservation [NYSDEC] for the County landfill [and the Finch landfill if they were successful in making an arrangement for that facility]. They note that because of the nature of the wastes targeted in their proposal, birds and other vectors are expected to be minimal, thereby eliminating the need for control methods such as pyrotechnics.

2. Leachate Management – NEWSNY would utilize the existing leachate storage and load-out facilities and develop a contract with the Saratoga County Sewer District [SCSD] for disposal of the leachate. This meets the applicable provision of the Final RFP.
3. Vehicles For Waste Delivery - NEWSNY proposed that a majority of waste will be delivered from large scale producers delivered in high capacity vehicles thereby minimizing the total number of truck trips. This meets the applicable provision of the Final RFP.
4. Regulatory Compliance and Reporting to the County – NEWSNY would utilize a Supervisory Control and Data Acquisition [SCADA] system to monitor all operating systems and would work with the County to develop access to the data for County officials and the general public. The scale system would be utilized to generate data for the host fee payments and reporting to the County. Annual reports to the County would include:
  - a. Waste tonnage received by waste category
  - b. Waste tonnage received by origin
  - c. Daily and intermediate cover volumes
  - d. Leachate volumes in the secondary collection system
  - e. Leachate generated and disposed
  - f. Summary of new construction
  - g. Summary of materials recovery
  - h. Summary of energy recovery and available energy capacity
  - i. Summary of beneficial byproducts

- j. Summary of complaints and responses
- k. NYSDEC inspection reports & all correspondence from NYSDEC
- l. Summary of significant projects planned for the next year
- m. Certified bank statement for the closure/post closure reserve

This meets the applicable provision of the Final RFP.

- 5. Harrier Monitoring – NEWSNY would take over all responsibility for the required Harrier monitoring and maintenance program. This meets the applicable provision of the Final RFP.
  - 6. Complaint Response Procedure – NEWSNY proposed to hold an annual open house, establish a complaint hotline, establish a mailing address and an email address for filing complaints, maintain a record of all complaints and responses, and provide the County with a copy of all records related to the complaints and complaint resolution. This proposal is comprehensive and meets the applicable provision of the Final RFP.
  - 7. Closure/Post Closure Reserve – NEWSNY would retain an engineer to develop the required closure/post closure cost estimate and update it annually in accordance with NYCRR Part 360. They propose to secure a surety bond in the amount of the estimate. This meets the applicable provision of the Final RFP.
  - 8. Host Community Service – Based on the nature of their proposal, NEWSNY did not propose to provide free disposal of MSW from Northumberland. They proposed to work out an arrangement with the Town for use of NEWSNY's existing transfer station. This assumes that NEWSNY's transfer station would be seen as a convenient location for Town residents.
- iii. Future Considerations
- 1. Landfill Gas Management, Energy Recovery, Materials Recovery, Carbon Credits, Renewable Energy Credits – Due to the nature of the waste being targeted by NEWSNY they expect minimal landfill gas generation. They expect to employ traditional landfill gas collection and management methods to ensure that gas migration and odors are mitigated to the greatest extent possible. They indicated that they will continuously evaluate potential carbon

credits and other green energy opportunities and negotiate shared revenues with the County at that time. If the County were to pursue an agreement with NEWSNY a definitive revenue sharing commitment would be required.

2. Existing Finch Landfill and Potential Future Connection – NEWSNY indicated that they responded to Finch’s separate 2012 RFP for the operation of their landfill and would pursue the opportunity to combine the landfills if they are successful in their proposal to the County.
3. Potential Future Capacity Increase – NEWSNY proposed a capacity increase as noted in 3.ii(1) above. The proposed increase to 180,000 tons per year [tpy] from 106,000 tpy would not represent a significant change in the operation of the facility. In the future, NEWSNY proposed to develop the ROMF which would include research, design, and development technologies and processing for converting organic waste streams into beneficial products. This would be coupled with marketing programs to directly land-apply short paper fiber for agricultural and commercial uses. NEWSNY indicates they are considering the development of products for farmland fertilization, topsoil, animal bedding and composting in addition to the research and development activities. Their proposal would integrate the processing of bio-solids from the SCSD using lime stabilization, drying, and anaerobic digestion. This process would combine other feed stocks such as source separated organics [food waste] from industrial, commercial and residential sources. Landfilling would continue for disposal of non-recyclable organic residuals, special industrial waste streams, interim/seasonal disposal of organic residuals, ash, and other special wastes.
4. New Wastewater Treatment Facility – NEWSNY proposed the development of a front end processing capability for the proposed new SCSD wastewater treatment facility. This would include an anaerobic digester to provide tertiary treatment for the sewage sludge and co-digesting capability for other organic wastes. The facility would also provide for the receipt of grease trap wastes, liquid food processing wastes, source separated food scraps, and other organic wastes.

- iv. **Company Track Record** – The parent company of NEWSNY, Casella Waste Systems Inc., owns and/or operates 10 landfills, 1 waste to energy facility and 17 recycling facilities. These facilities are located in New York, Pennsylvania and New England. NEWSNY submitted information documenting their regulatory compliance with the six landfill facilities they operate in New York State, and confirming their financial viability and ability to secure funding for the proposed lease. NEWSNY/Casella has a very well regarded track record with host communities and with the resolution of operating issues.
- v. **Long Term Environmental and Financial Benefits** – The primary environmental benefit of the proposal is that certain components of MSW [source separated organics, WWTP sludge, other organics] would be processed in one of several ways to produce usable by-products such as compost, soils, and soil amendments. This may be seen as an outcome with fewer environmental impacts, such as greenhouse gas emissions [GHG], than if the waste were landfilled, and an option that yields benefits such as displacement of virgin materials and products thereby avoiding the associated costs and impacts. Also, it is possible that future NYS regulations will encourage, or possibly require organics waste generators to provide some means for recovery of such waste. There would also be a benefit from establishing a reliable disposal facility within Saratoga County which will help stabilize the cost of solid waste services for residents businesses and industries served by the landfill. It will also decrease GHG's for that volume of waste that will no longer be transported several hundred miles for disposal. The development of the ROMF would create a steady revenue stream for the County over the long term. However, the organics recovery ideas would not be free of challenges including market development, the cost of trucking, and overall reliability of the various technologies. Also, the ideas proposed by NEWSNY may be more costly than comparable disposal which raises questions about the financial viability of such recovery proposals [especially if they have to compete within an open market and without subsidy] and which is evidently reflected in the proposed payments to the County for privatization of the landfill facility.

- b. Capital Regions Landfills, Inc. [CRL]** – CRL proposed to purchase the County Landfill Facility, property, and equipment. The base purchase price for the

landfill in its current configuration and permit status would be \$7.5 million. They would accept the range of MSW and other wastes allowed under the NYSDEC Part 360 regulations and would seek modification to the landfill permit so that construction/demolition debris, sludges, and other wastes allowed under Part 360 could be accepted. As described in Section 3.b.iii.3 below, CRL also proposed an alternative for expansion of the County Landfill Facility on to adjacent property [up to an all inclusive total of 204.5 cell acres]. This would then trigger a series of additional payments to the County.

An analysis was done, and is shown in the table below, for a limited expansion by CRL. This would include the construction of 27.3 new cell acres substantially covered by the original County Environmental Impact Statement but not owned by the County and not currently permitted. This expansion would be on private property immediately North of the existing County landfill cells.

i. Financial Proposal

ELEMENT OF PAYMENT	AMOUNT	DESCRIPTION
1. Capital Purchase or Lease Payment to County	\$ 7,500,000	If liner system needs to be rebuilt the cost would be deducted from the purchase payment
2. Payments to County: 3,199,000 tons of new capacity x \$1 per ton \$10 million x each 100,000 tpy capacity increase 275,000 – 106,000= 169,000tpy increase \$10 million x 1.69= \$5 per ton x 169,000tpy x 11.63 years=	\$ 3,199,000     \$16,900,000 \$ 9,827,350	
3. Payment to Northumberland		County could share revenue from sale subject to an agreement between County and Town
4. Payment From Energy Sales		50% CRL – 50% County
5. Payment From Carbon Credits, RECs		50% CRL – 50% County
6. Payment For Materials Recovery, Other Energy Recovery		50% CRL – 50% County
7. Payment For Operating Equipment		Included in purchase price
8. Other payments ( see Section3.b.iii.3 below)		
Total	\$37,426,350	

ii. Development and Operating Plan

1. Origin of Waste, Capacity, Waste Types, Daily Cover – CRL firmly committed that a minimum of 51% of waste delivered to the landfill will come from within Saratoga and neighboring counties. CRL added that they are uniquely positioned to meet this requirement because of their extensive collection network through their sister company, County Waste. The CRL base proposal would accept 106,000 tpy of MSW generated in Saratoga and neighboring counties. They indicated that the vast majority of the waste would come from their Clifton Park and Fort Ann transfer stations. They estimate that the landfill would have 13 years of capacity at 106,000 tpy. They further noted that if the permitted landfill capacity was increased to an amount equivalent to all the non-recyclable waste generated in Saratoga County [they estimate at 318,480 tpy], the currently permitted capacity would only last a little over four years. CRL proposed to redesign the base grades of the currently permitted cells. CRL indicated that they have experience with alternative daily cover materials such as removable tarps, spray-on cellulose emulsions, shredded green waste, shredded tires, shredded auto fluff, and contaminated soils. CRL would utilize the footprints currently approved by the NYSDEC for the County landfill.
2. Leachate Management – CRL took no issue with the requirement in the Final RFP that leachate from the landfill be delivered to the SCSD WWTP so long as either the County retains the leachate disposal expense, or that CRL is protected from dramatic increases to leachate disposal costs.
3. Vehicles For Waste Delivery – CRL projects that under the base proposal there would be approximately 20 trucks per day. This meets the applicable provision of the Final RFP.
4. Regulatory Compliance and Reporting to the County – CRL emphasizes strong high quality leadership and a commitment to safety as the path to regulatory compliance and reporting. CRL indicates that they operate under a decentralized mode, follow an intensive hiring selection process, and typically retain a local solid waste engineering consulting group experienced with State regulators. They indicate that they typically employ, safety and

best practices training, detailed topographic, air space and material volumetric analyses, multi-year development planning, permitting, capital improvement, and environmental management planning models, a compliance task tracking and management system, annual detailed environmental reviews, special waste assessments, access to suitable equipment, and operating metrics to monitor the efficiency of operations.

CRL indicated they will submit an annual report to the County including the following:

- a. Waste tonnage received by waste category.
- b. Waste tonnage received by place of origin.
- c. Daily and intermediate cover volumes utilized.
- d. Leachate volumes in the secondary/witness liner system.
- e. Leachate generated and disposed.
- f. Summary of new construction.
- g. Summary of material recovery.
- h. Summary of all energy recovery and available energy capacity.
- i. Summary of all beneficial byproducts from the landfill facility.
- j. Summary of all complaints and resolutions.
- k. All NYSDEC inspection reports.
- l. All correspondence to and from NYSDEC relative to the landfill.
- m. Summary of significant projects planned for the following year.
- n. Copies of NYSDEC approved Closure & Post Closure Financial assurance

This meets the applicable provision of the Final RFP.

5. Harrier Monitoring – CRL indicated they will continue the ongoing Harrier monitoring and mitigation procedure so long as it is required by the NYSDEC. This meets the applicable provision of the Final RFP.
6. Complaint Response Procedure – CRL indicates they would strive to be part of the local community by participating in local events and sponsoring local charities in order to increase visibility and break down barriers. They indicate they would also routinely talk

with neighbors and local politicians to address issues of concern. They would keep a log of complaints and resolutions. This meets the applicable provision of the Final RFP.

7. Closure/Post Closure Reserve – CRL indicated that they would fully fund the closure/post closure liabilities of the landfill. This meets the applicable provision of the Final RFP.
8. Host Community Service – CRL proposed to accept 500 tpy of MSW from the Town of Northumberland at no charge. CRL indicates that it would be up to the County and the Town to determine any revenue sharing from the sale of the landfill.

iii. Future Considerations

1. Landfill Gas Management, Energy Recovery, Materials Recovery, Carbon Credits, Renewable Energy Credits – CRL indicated that they do not expect any net profits coming from a gas development project at the landfill. If there were profits, they proposed to share them on a 50% to 50% split. Similarly, CRL indicated that they would share with the County on the same 50%-50% split any profits from credits or other subsidies.
2. Existing Finch Landfill and Potential Future Connection – CRL indicated that they may pursue the potential future connection of the County and Finch landfills to achieve significant benefits. They think there will be design, permitting and business integration challenges. Therefore, such a connection would be part of a second or third expansion effort that would be done after their proposed 25 acre northern expansion.
3. Potential Future Capacity Increase – While utilizing the currently constructed and permitted cells, within the first two years of ownership, CRL would design and seek NYSDEC Part 360 permits for the development of new cells on the 25 acre area identified in the County Environmental Impact Statement for potential future expansion. CRL indicated in their proposal that they would also like to explore the development of additional cells beyond that 25 acre area [and beyond property currently owned by the County] during the early phase of landfill operation. According to CRL, the expansion would improve the site's geometry, allow for adequate setbacks, environmental monitoring, storm water controls, soil borrow, roadways, facilities construction, wetlands mitigation and

leachate storage. CRL provided a conceptual site plan and a series of preliminary cell layouts showing:

Existing cells	9.0 acres	
Permitted cells	15.9 acres	
Existing and Permitted cells		24.9 acres
Phase 1 expansion	27.3 acres	
Phase 2A expansion	15.9 acres	
Phase 2B expansion	16.6 acres	
Phase 2C expansion	24.5 acres	
Phase 2D expansion	26.5 acres	
Phase 2E expansion	17.9 acres	
Phases 1 and 2 expansions		128.7 acres
Phase 3A expansion [Finch]	16.8 acres	
Phase 3B expansion [Finch]	34.1 acres	
Phase 3 expansions		50.9 acres
Grand Total		204.5 acres

While indicating the areas for the proposed potential expansion, CRL did not specify exactly what daily or annual tonnage would be associated with the expansion. Rather, they used the scenarios of 206,000 tpy and 356,000 tpy to illustrate the associated payments to the County.

As noted in 3.b.i. above, CRL proposed a purchase payment of \$7.5 million for the existing landfill facility [the existing constructed cells and the permitted cells] and all County owned property and equipment.

CRL went on to propose payments associated with the expansion of the landfill as follows:

- \$1.00 per ton for each ton of increased disposal capacity from a vertical or horizontal expansion.
- \$10 million for each 100,000 tons increase in the current annual disposal capacity [106,000tpy].
- \$5.00 per ton for every ton of waste disposed of above the current annual disposal capacity [106,000 tpy].

The application of this formula to the development of the approximate 25 acres North of the existing County Landfill cells [on property not owned by the County] and covered by the original Environmental Impact Statement done for the County Landfill would produce a total financial package of \$37,426,350 [referenced as the CRL limited expansion]. Because the limited expansion area was covered by the original Environmental Impact Statement, the number of issues raised by regulators and other interested parties should be manageable. The time to obtain the necessary permits could still be considerable.

The CRL proposal for a series of expansions as tallied above [including the development of 128.7 new cell acres to the north of the existing County Landfill on private property, and 50.9 new cell acres associated with the Finch Landfill] would involve an estimated 10 million ton increase in disposal capacity coupled with a permit for disposal of 350,000 tpy which would produce over \$80 million in payments to the County over a 30 year landfill life. However, such a major expansion to create a large scale landfill would likely be faced with a range of permitting and Environmental Impact Statement issues and public concerns. This could translate into a long permit process with an uncertain outcome.

4. New Wastewater Treatment Facility - CRL took no issue with the requirement in the Final RFP that leachate from the landfill be delivered to the SCSD WWTP so long as either the County retains the leachate disposal expense or that they are protected from dramatic increases to leachate disposal costs.

- iv. Company Track Record – The parent company of CRL, Waste Connections Inc. operates 51 landfills across the country along with 149 waste collection service locations, and 62 transfer stations. The Town of Colonie landfill is their sole landfill operation in New York State. Through their acquisition of County Waste the company owns and operates the single stream materials recovery facility in Albany. CRL submitted information documenting their regulatory compliance at landfills they operate, confirming their financial viability, and their ability to fund their proposed purchase. Information submitted also indicates a sound record of

working with the landfill host communities and with resolving operating issues.

- v. Long Term Environmental and Financial Benefits – The primary benefit from the base proposal by CRL is that the County would receive all the proposed revenue up front, and there would be a reliable disposal facility within Saratoga County which would help stabilize the cost of solid waste services for residents businesses and industries served by the landfill. It would also decrease GHG’s for that volume of waste that would no longer be transported several hundred miles for disposal. The CRL proposal for expansion of the Facility would generate substantial long term revenues for the County, however it would substantially increase the ultimate size of the landfill from approximately 25 cell acres up to approximately 154 cell acres [not including the existing Finch landfill or their proposed Finch expansion]. It would also substantially increase the daily and annual throughput of the landfill.
  
- c. **Finch Paper LLC** – Finch Paper of Glens Falls proposed to purchase the County Landfill Facility and coordinate it with the operation of the existing Finch landfill. The base purchase price for the landfill would be \$4 million for the landfill in its current configuration, with a permit modification to accept paper sludge. In the future, the two landfills would be connected and essentially operated as a single facility through a progression of cells including the existing constructed cells and the existing approved cells. There would be no expansion except to construct a connecting liner system to take advantage of the air space available from a “valley fill” joining the two landfills. Upon receiving this approval, Finch would pay the County an additional \$2 million. Finch would continue to deposit their paper sludge in the landfill and MSW would be accepted at the facility as well.

i. Financial Proposal

ELEMENT OF PAYMENT	AMOUNT TOTAL	DESCRIPTION/ NOTES
1. Capital Purchase Payment to County Second Capital payment-Valley Fill	\$ 4,000,000 \$ 2,000,000	
2. Host Community Payment to County [annual]	\$ 2,000,000	\$100,000/yr 20 years
3. Profit Sharing with County [annual]	\$31,000,000	50% of tip fees between \$38 and \$55 per ton; \$1,700,000/yr for 18.23 yrs
4. Payment to Northumberland		Payment from County's share.
5. Payment From Energy Sales		50% Finch 50% County
6. Payment From Carbon Credits, RECs		50% Finch 50% County
7. Payment For Materials Recovery, Other Energy Recovery		50% Finch 50% County
8. Payment For Operating Equipment		Included in purchase
Total	\$39,000,000	

ii. Development and Operating Plan

1. Origin of Waste, Capacity, Waste Types, Daily Cover- Finch proposed managing the County landfill and their own landfill as one facility executed in four stages. 1) Waste would be deposited in the existing County Landfill cells. 2) Waste would be placed in the permitted [but not yet constructed] County landfill cells. 3) Waste would be placed in a "valley fill" between the County landfill and the Finch landfill. 4) Waste would be placed in phase 2 of the Finch landfill. The current tonnage permitted for the County Landfill is 106,000 tpy. Finch has historically accepted between approximately 75,000 tpy and 134,321 tpy at their facility. Therefore, the current combined annual throughput of the two facilities [if the County Landfill were operational] would be approximately 240,000 tpy. Finch is proposing that the combined landfills operating as one facility would take in 275,000 tpy or an approximate increase of 14% over what is currently permitted for the County Landfill and historically accepted at the Finch Landfill. Finch indicated that no daily cover would be mined

from the County property but instead would be mined from Finch property. Finch expressed confidence that they would meet or exceed the County requirement that 51% of the waste taken to the landfill originate in Saratoga County and its neighboring counties.

2. Leachate Management – Finch indicated that they would seek flexibility within the permit to treat leachate from the landfill at their own wastewater treatment facility in Glens Falls.
3. Vehicles For Waste Delivery – Finch indicated that they will encourage the use of high capacity trucks for the delivery of waste to the landfill.
4. Regulatory Compliance and Reporting to the County – Finch indicated that they will accept sole responsibility for compliance with all applicable laws and regulations; they will utilize certified weigh scales, allow the County access to the scale records, and utilize those scales to determine the tonnage for payments to the County and verification of waste origin; and provide the County with an annual report containing all the information specified in Section 8.9 of the Final RFP. This meets the applicable provision of the Final RFP.
5. Harrier Monitoring – Finch would maintain the Harrier monitoring and mitigation requirements as set forth in the existing Part 360 permit. This meets the applicable provision of the Final RFP.
6. Complaint Response Procedure – Finch indicated they will maintain a 24 hour complaint telephone line; before accepting waste they will provide public information on what is occurring and who to contact if the public has questions; in addition to the 24 hour land line, they will provide an email address and a U.S. Postal Service address for complaints and questions; they will designate a neighborhood liaison; they will investigate all complaints and respond by phone within 2 hours and by mail within 48 hours; they will notify the Town of all complaints and resolutions. This is comprehensive and meets the applicable provision of the Final RFP.
7. Closure/Post Closure Reserve – Finch indicated that they would secure a letter of credit to meet the NYSDEC closure/post closure requirements. This meets the applicable provision of the Final RFP.

8. Host Community Service – Finch would accept 500 tpy of MSW from the Town of Northumberland at no charge.
- iii. Future Considerations
    1. Landfill Gas Management, Energy Recovery, Materials Recovery, Carbon Credits, Renewable Energy Credits – Finch indicated that they will install all horizontal and vertical landfill gas collection lines necessary to properly manage the landfill gas and meet regulatory requirements. They proposed to share all revenues from energy sales, carbon credits, renewable energy credits and beneficial landfill byproducts on a 50%-50% basis.
    2. Existing Finch Landfill and Potential Future Connection – Finch proposed that they would join the two landfills under the cell progression noted in 3. c.ii.1.
    3. Potential Future Capacity Increase – As noted in 3.c.ii.1. above, Finch proposed to join the two landfills and operate them as a single facility with an annual throughput of 275,000 tons. This would represent a 14% increase in the combined tonnage currently permitted for the County Landfill and historically accepted at the Finch Landfill.
    4. New Wastewater Treatment Facility – Finch indicated they may be interested in exploring a possible public/private partnership for development of the new wastewater treatment facility proposed by the Saratoga County Sewer District.
  - iv. Company Track Record – Finch owns and operates a landfill facility immediately adjacent to the County landfill. Through their sister company Detroit Renewable Power [DRP] they operate a 3,300 ton per day waste-to-energy facility to produce and distribute steam and electricity. Finch submitted information documenting their regulatory compliance at their landfill facility, confirming their financial viability and their ability to fund their proposed purchase.
  - v. Long Term Environmental and Financial Benefits - The primary benefit of the Finch proposal is that it would maximize the capacity of the landfill while minimizing the landfill footprint. It would provide a reliable disposal facility within Saratoga County which will help stabilize the cost of solid waste services for residents, businesses, and industries served by the landfill. It will also decrease GHG's for that volume of waste that will no longer be transported several hundred miles for disposal. Finch proposed up-front payments coupled with substantial revenue sharing payments

over the long term, where those revenue payments would be structured to keep an incentive with Finch to maximize tip fee revenue thereby maximizing the County's return. The Finch proposal would support a local company with a manufacturing facility in a neighboring county as well as their existing landfill in Saratoga County. They estimate their operations are responsible for 2,200 direct and indirect jobs in the area.

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