

## Megaprofit seen in megadump

By MICHAEL G. MOONEY  
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Published: June 23, 2003, 06:59:14 AM PDT

Until Stanislaus County's supervisors said "no" in January 2001, Chief Executive Officer Reagan Wilson entertained thoughts of creating a 100-million-ton dump that would bring in medical waste, trash and cash -- lots of it.

In September 1998, the county assigned R. Lee Torrens, a consultant and friend of Wilson, to work on the project. That was nine months before the county spent \$14.02 million for 2,100 acres next to the Fink Road Landfill.

The county also spent nearly \$1.7 million for an environmental report on the giant landfill.

The Bee on June 8 detailed the business relationships between Wilson and Torrens. Since 1997 the county has paid Torrens more than \$258,000 for work and expenses on the landfill expansion and other projects that either failed to get board approval or never got to the board level for a vote.

Board Chairman Ray Simon said Torrens' contract will not be renewed when it expires at the end of the month. The board also is reviewing Wilson's conduct to determine if he should be disciplined or dismissed.

An August 1998 contract required Torrens to begin scouting for potential solid waste customers for the county's Fink Road Landfill and medical waste customers for the garbage-burning plant the city of Modesto and the county jointly own.

"That idea came from me," Wilson told The Bee in an interview last month.

"The idea is that if we have to buy 2,100 acres, in our lifetimes -- our children's lifetimes and our grandchildren's lifetimes -- we probably wouldn't be able to fill 2,100 acres."

Only part was usable for landfill

But much of the land the county bought from rancher Fred Vogel is flat farm and orchard land, making it unsuited for landfills, county officials say. Some of it -- roughly 400 acres -- is hill and canyon land the county needed for a giant landfill.

George Stillman, the county's public works director, pursued the purchase. But he never was enthusiastic about the mega-dump and said he cautioned Wilson about possible backlash once the public learned of the plan.

"I talked to him about the potential for public controversy," Stillman said. "Under the best of circumstances, landfills are extremely controversial. Doing these is never easy."

Former county Environmental Resources Director Gordon Dewers said Wilson and Torrens pushed the idea.

"Lee's the front guy," Dewers said. "George has been dragged along kicking and screaming."

Although the waste-to-energy plant was conceived as a way to avoid burying trash in a landfill, Dewers believed a megadump could be profitable. He said that the state some day could decide to shut the plant down and that other counties would be looking for landfill space.

"We thought about the giant dump," he said. "The money brought in could be good for everybody. There's no question in my mind there was some very serious interest in creating a very large landfill for revenue purposes."

In November 1997, Dewers hired Torrens -- the Montana-based consultant -- to study the waste-to-energy plant contract between Ogden-Martin Systems (now Covanta) and the city and county.

Soon, however, Torrens was looking at the feasibility of importing waste.

"I really felt a larger dump (and) bringing in outside waste would benefit the county," Dewers said.

In February 1999 -- three months before the Vogel purchase -- the county talked with the city of Fremont.

Wilson offered Fremont a 20- to 40-year contract, with the city paying a fixed tipping fee of \$25.68 per ton. At the time, Stanislaus County haulers paid \$40.25 per ton, although Wilson and Torrens said outside contracts could have lowered tipping fees for county residents.

Tipping fees are per-ton fees charged to the commercial haulers and passed on to consumers.

The county sent Fremont a check for \$25,000 to guarantee the offer. Fremont declined the offer and returned the check.

Torrens also tried to negotiate a deal with NorCal Solid Waste Inc. in 2000. And he has talked within the past six months with Tulare County officials about bringing in their waste, said Patty Ackley, a Tulare County solid waste official.

Jami Aggers, a former senior environmental health specialist for the county, said plans for the megadump advanced rapidly after the county bought the Vogel property in 1999.

Options included the privatizing the landfill, meaning the county could either sell the property and get out of the landfill business or contract with a private company to manage it.

She said the supervisors, as a group, were not thoroughly informed as to the scope of Wilson's plans.

"These discussions took place at a very high level," she said. "The Board of Supervisors are being improperly blamed (for the megadump plans). I honestly believe they were not aware."

Aggers said the megadump was Wilson's brainchild. She said she worked with Torrens during her last 18 or so months before leaving the county in August 2001 to work for the San Joaquin Valley Air Pollution Control District.

"It seemed like (Torrens) was taking his marching orders from Reagan," Aggers said. "(Torrens) wasn't answering to us. I had the perception that he had quite a bit of latitude."

Until, that is, political decisions derailed Wilson's plans.

"Reagan's vision was to have a megalandfill, bring in medical waste and make a big name for himself," she said. "It was going to be a cash cow."

Torrens told The Bee last month he believes the idea of importing waste remains viable.

A 100-million ton landfill, Torrens said, could be worth \$80 million to \$100 million. By bringing in outside waste, Torrens said tipping fees for county residents could plummet from the current \$30 per ton to as little as \$2 per ton.

That assumes, Torrens said, city and county policy-makers are prepared to deal with some "real political issues" associated with the concept. The idea has such an upside, he said, that either this board or a future board ought to reconsider it.

But it won't happen in the immediate future, Torrens said.

"Theoretically, this board looked at it and said, 'It's got too much hair on it. Let's not do it,'" he said.

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Last in a two-part series.

## *Monday, June 23rd, Modesto Bee Editorial* **Need is pressing for cleaning up valley's filthy air**

Published: June 23, 2003, 07:09:53 AM PDT

The new plan for cleaning dust and particles from the valley's air is either bold and aggressive or fatally weak and flawed. Valley air district officials believe the plan can reduce the pollution by enough to stave off severe federal sanctions; many environmentalists are convinced it won't work any better than the three failed plans that preceded it.

One thing is certain: The failure to adopt a plan acceptable to the California Air Resources Board and ultimately the U.S. Environmental Protection Agency would be extremely costly. New and expanding businesses could face stiff new fees, and the feds could pull as much as \$2 billion in transportation funds.

It won't be easy. There is the pressure of time. The state board will take up the plan in Fresno at a hearing Thursday. If it approves, the plan must then be in the hands of the federal EPA by Aug. 28.

Environmentalists are particularly concerned about provisions for enforcing new rules on agriculture -- or rather what they perceive as the lack of enforcement mechanisms. The ag industry, for its part, says "flexibility" is needed to let farmers choose the cleanup methods best-suited for their individual operations.

The debate over these issues is not trivial. But there is an overarching need to get going on the cleanup of the valley's filthy air. Pollution costs us in many ways, not least in the damage it does to the health of the most vulnerable among us: the elderly, those with respiratory problems and -- most of all -- children. There is also a significant economic cost, including many millions of dollars on lost crops. The pollution is damaging the Sierra Nevada.

Moving this plan along is the right thing to do. We understand the skepticism, but we can't simply keep arguing the details. The need is urgent, and so must be our actions.

## **Letters**

## The Fresno Bee

### **Doomed to fail**

By Kevin Hall, Fresno

June 24, 2003

In its endorsement of the Valley air district's new cleanup plan for particulates, "Pick up the pace" (June 21), The Bee concludes "we can't simply keep arguing the details" of the plan.

Oh, yes, we can -- and must. Those very details The Bee asks us to gloss over have caused the three previous plans to fail and doom this one to the same fate. Thousands of lives depend on those details.

Passing another empty shell of a plan simply to avoid sanctions on major polluters is a failure of resolve or worse. In encouraging the air district board of directors to approve this plan, The Bee has joined the ranks of lobbyists from the farm, oil and building industries. They like this plan, too. Care to guess why?

It ignores the law.

The most basic requirement of the Clean Air Act is "best available control measures or technology" on all major sources of pollution. The accompanying rules, their enforcement and polluters' compliance must be a transparent, verifiable process. And when an air district has failed as badly as ours has for the past decade, all pollution must then be reduced by 5% annually.

This plan does none of the above.

On Thursday at 9 a.m., the California Air Resources Board will meet in Fresno at the air district office, 1990 E. Gettysburg Ave., to consider approval of it.

Everyone concerned with air pollution should attend and demand the state reject the plan.

Casino move would hurt air even more

## The Porterville Recorder

### **Casino move would hurt air even more**

Leah Hartley, Springville

June 24, 2003

I am very concerned about the terrible air here in our Valley.

I'm afraid that if the Indians are allowed to move their casino to Highway 190 and greatly enlarge it, our air will be even worse.

The parking lot at Highway 190 is supposed to hold 2,500 cars.

The new casino at Alpine, down by Santa Barbara, is about to open and the traffic is estimated to be 10,000 cars per day.

I've done a little research and, according to the San Joaquin Valley Air Pollution District, every 1,500 to 2,000 cars generate 10 tons of pollution a year.

I also talked to CalTrans central office and, according to their records, currently there are 7,000 car trips per day from the state hospital to Lake Success, and 4,000 continue to Springville, and there are 8,300 cars per day on Reservation Road.

Now even if the new casino would only draw 5,000 new cars per day or even if it's only 2,500 cars, what an impact it will have on our air.

So while I wish the tribe continued success at their present location, for the good of us all and our long-suffering lungs, I hope they are not allowed to relocate off the reservation.

If anyone out there agrees with me, please write or call Gov. Gray Davis, Supervisor Jim Maples and the Secretary of Interior Gayle Morton.

Raise your voice and save your lungs.

### **Opinion**

The Fresno Bee

#### **Pick up the pace**

#### **Fourth time's the charm in plans for cleaning up the air -- we hope.**

June 21, 2003

The new plan for cleaning dust and particles from the Valley's air is either bold and aggressive, or fatally weak and flawed, depending on the perspective of the viewer. Valley air district officials believe the plan can reduce the pollution by enough to stave off severe federal sanctions; many environmentalists are convinced it won't work any better than the three failed plans that preceded it.

One thing is certain: The failure to adopt a plan acceptable to the California Air Resources Board and ultimately the U.S. Environmental Protection Agency would be extremely costly. New and expanding businesses could face stiff new fees, and the feds could pull as much as \$2 billion in transportation funds.

It won't be easy. There is a particular pressure of time. The state board will take up the plan in Fresno at a June 26 hearing. If it approves, the plan must then be in the hands of the federal EPA by Aug. 28.

Environmentalists are particularly concerned about provisions for enforcing new rules on agriculture -- or rather what they perceive as the lack of enforcement

mechanisms. The ag industry, for its part, says "flexibility" is needed to let farmers choose the cleanup methods best suited for their individual operations.

The debate over these issues is not trivial. But there is an overarching need to get going on the cleanup of the Valley's filthy air. Pollution costs us in many ways, not least in the damage it does to the health of the most vulnerable among us: the elderly, those with respiratory problems and -- most of all -- the children of Valley families. There is also a significant economic cost, including many millions of dollars on lost crops. The pollution is damaging the Sierra Nevada, which increasingly is no longer a safe haven to which we may flee for relief from the brown skies of the Valley.

Moving this plan along is the right thing to do. We understand the skepticism, but we can't simply keep arguing the details. The need is urgent, and so must be our actions.