

August 26, 2013

**Transition Issues and Landfill Issues Related to Duncan Disposal,
a DBA of Republic Waste Services of Texas, Ltd., in Alpine, Texas
By Justin Gregory**

From December of 2006, when Texas Disposal Systems, Inc. ("TDS") was awarded the operation of the City of Alpine landfill, through November of 2008, when I was transferred back to the Austin TDS operations, I was the manager of TDS's Alpine operation. While I was the manager, I worked very closely with the city staff on current landfill and hauling issues as well as working with them on past issues from when the operator was Duncan Disposal ("Duncan"), a division of Republic Waste Services of Texas, Ltd.

The Alpine landfill is permitted by the TCEQ as a Type I and Type IV arid exempt landfill, meaning that the landfill can only accept 20 tons of Municipal Solid Waste (MSW) and 20 tons of Construction and Demolition (C&D) waste every day on a yearly average. TDS met that 20 ton per day average tonnage limit in MSW and in C&D waste while I was there, and that was just from hauling in waste from Alpine, part of Fort Davis, part of South Brewster County, and the small towns of Sanderson and Dryden. At the end of the year, I directed about 60 loads to the Presidio landfill, so Alpine did not exceed the annual limit.

In January of 2007, I was interviewing drivers for the Alpine operations. Most of the drivers from Duncan came to apply and while interviewing them, I heard some interesting things about the past operations of Duncan and Republic. Charlie Olazaba, a side load driver that worked for Duncan and ended up working at TDS for about 2 years, told me that as soon as Duncan found out TDS would be bidding on the contract, they started hauling loads of MSW to Odessa. Up until that time, Duncan had been hauling all collected solid waste to the Alpine landfill. Their service area included Alpine, Marfa, Fort Davis, Marathon, Terrell County (Sanderson and Dryden), South Brewster County, Balmorhea, as well as all of the surrounding rural areas. The Alpine landfill is also open to the public. When I asked Charlie if he had hauled much to Odessa before this time, he said that everything they picked up went to the Alpine landfill. In my opinion, all this waste volume would have exceeded the waste disposal tonnage limitation of the City's arid exempt landfill by twice as much.

A couple of days before TDS took over the contract, which was February 1, 2007, I drove to the landfill and saw George Vallerio (Duncan's Alpine Manager) loading all of the scrap metal into roll off boxes and hauling it to the C&D pit for disposal. When I asked George what he was doing, he said that he didn't think TDS would want the metal so he was cleaning it up. I told George that TDS would recycle the metal and I asked him to leave it there. After TDS took over the contract, we took some roll off boxes down to the C&D pit and pulled the metal back out to be baled and recycled. None of this metal was being weighed or accounted for by Duncan in the 20 ton per day average limit for the arid exempt landfill.

After TDS began operations in Alpine collecting the City's waste and operating the two landfill cells at the Alpine landfill, TDS started accepting recyclables at its shop in town and a trailer was stationed downtown on the weekends, which was manned by volunteers for citizens to drop off their recyclables. On June 28, 2007, TDS opened the Alpine recycling center just outside of town. It is still operated by TDS today. The City and its residents are able to recycle newspaper, office paper, magazines, aluminum cans, tin cans, glass, cardboard, and plastic, year round. I was told by former Duncan employees that when Duncan had the contract, they would pick up this material at curb side, put it in gaylord boxes, and then dispose of it in the landfill.

In March of 2007, I hand delivered the first month's bill with all of the landfill tickets for backup to the Alpine city office. I was told by city staff that it took Duncan months to get the bills to them. When they would finally receive a bill, the city staff said they never received any landfill tickets with it for backup. I was told that when Grant Jackson, the engineer hired by Alpine, tried getting receipts and tickets from Duncan, they would not give it to him either. Duncan employees said the tickets were either in the attic of their Alpine offices or at their offices in San Angelo and none were ever produced.

Adolfo Ramirez was our operator at the landfill and had been the operator at the Alpine landfill for Duncan for years before TDS hired him. In December of 2007 Adolfo told me that a few years earlier Duncan had brought in an old scraper to do some excavating for a future landfill cell. While Duncan was digging the C&D pit the scraper broke down. Adolfo said Duncan just quit digging and started dumping trash in the half excavated area. Adolfo said Duncan had only excavated about 10 feet of the 20 feet that was allowed for the C&D pit. This supposedly occurred over a large portion of the cell. If Duncan did this, they wasted years of dumping capacity for the city of Alpine.

In March of 2008, while preparing for the first TCEQ landfill inspection since TDS had taken over the contract, Vidal Acosta, TDS's mechanic who had previously worked for Duncan, approached me. Vidal said hours before Duncan's inspections, when they were required to test the gas wells, Duncan's manager would send Vidal out to the landfill in one of the service trucks and have him blow air down the pipes so that there would not be any methane gas detected during the inspection.

In January of 2009, we were doing some routine excavating at the landfill with some equipment that we had brought in from Austin. Our scraper was coming around the east side of the property and fell off, or sank, into a large hole that collapsed as he drove across it. After getting him out and opening up the hole that he had fallen into, we found long, shallow trenches that had been dug years ago that were filled with trash. When we asked some of the former Duncan drivers that had been dumping out there for years, they told us that Duncan would have them dump in these trenches when they would run out of space and were not able to do any excavating for a while. They said Duncan would dig these trenches with the loader and dump in areas that were not authorized yet to have trash in them.

For the 2 years that I was in Alpine and the 4 ½ years since, TDS has kept the city manager up to date on any and all issues that TDS has either been told or found out regarding Duncan's prior operations. The former Alpine city manager was not very concerned about the Duncan disposal of waste outside the authorized boundaries of the landfill, but TDS will have to remove the Duncan disposed waste from the unauthorized trenches at the Alpine landfill before the next cell expansion occurs.

When Alpine officials originally approached TDS to bid on the Alpine contract in 2006, they said they had a problem with Duncan's poor service. I do not think Alpine officials really knew about the issues at the landfill, but city staff seemed desperate to get an operator in there that they could trust to do the right thing. In 2011, TDS was awarded a 10 year renewal from the city. That indicates the city staff was happy with their decision back in 2006 to switch from Duncan to TDS. TDS is committed to providing the city of Alpine with excellent service.

Sequence of Events

Updated December 16, 2013

January 2009:	Notified Chuy Garcia, Alpine City Manager, of waste found outside constructed landfill cell
February 1, 2009:	Started cell construction
February 15, 2013:	Notified Chuy Garcia and moved three trenches at TDS expense (34 hours of work)
August 27, 2013:	Met with Chuck Harrington, interim Alpine City Manager. Chuck said he was going to notify City Council of the issue and asked TDS to notify Grant Jackson, City Engineer, and request his assistance.
August 30, 2013:	Sent letter to Grant Jackson asking for his help.
September 4, 2013:	Met with Mayor Avinash Rangra; Mayor asked TDS to give a presentation regarding the issue at the next Council meeting.
September 17, 2013:	Jimmy Gregory gave a presentation to City Council.
September 30, 2013:	Sent pictures and report to Grant Jackson and Molly Taylor, Acting City Manager.
October 28, 2013	Grant Jackson sends letter of explanation to TCEQ























