

Looking at What Lies Beneath the Surface

Finding an iceberg on the cover of a solid waste magazine might seem a little strange to some, but we could think of no better way to call attention to a situation we feel screams for attention...the true (and mostly hidden) costs of MSW landfills. Let's get straight at the outset that while we could quibble with this provision or that, we're not opposed to the bulk of Subtitle D requirements. However, there are several areas we feel need redress--including those having to do with monitoring, long-term care, and financial responsibility--all to which we will be paying close attention in this and subsequent issues. Particularly, I would like to call your attention to the article entitled "Developing Landfills that Protect People: The True Costs" by Drs. G. Fred Lee and Anne Jones-Lee that, in essence, amounts to our firing a warning shot over the bow. In the future--to carry the analogy a step further--we'll unlimber the main batteries and fire for effect at such notions such as that a dry tomb environment can be maintained forever, or that we should be passing on an open-ended liability to generation "x."

There are those who feel that Subtitle D was drafted for the aid and comfort of a few, large, private-sector waste management companies. The argument is put forth that not only did design and construction requirements provide them with increased business opportunities by driving smaller landfills out of business, but that the 30-year limit to financial responsibility offered these owners the opportunity (with a bit of paper shuffling) to walk away clean, effectively sticking the public with an unfunded liability. While we do not subscribe to this cynical view, we agree with the conclusion that the public is at risk of becoming the "stuckee" when containment eventually breaks down. Whether this takes place 31 or 310 years after closure is beside the point, which is that those who get to pay for the cleanup--you and your kids--are not going to be as concerned over how they got into the mess as to where the money's going to come from.

Already we're hearing from managers who are getting nervous because their waste has gone into privately-owned (and now closed) landfills in which the 30-year clock is already running. It may comfort some to hope that courts in the future will decide that liability for the landfill and its contents extends beyond the mandatory postclosure care period, and that the ABC Waste Company will be responsible forever, but prudence suggests otherwise. Even if you can find the current landfill owner after 30 years, what is there to suggest that funds will be available to cover the cost of remediation when the containment breaks down?

The solid waste manager of a mid-sized city shared with me his frustration at being at the mercy of just such a situation. "We're the deepest pocket in the area so I know we're on the hook forever," he lamented. "Not only do I not have a clue as to what's gone into the site, but I'm totally out of the loop until the postclosure-care period is up." Worse still, when he tried to explain to his city council the nature and magnitude of the present threat (in the hope they would see that the safest course for the future lay in taking control of the entire process from collection to disposal), they went ahead and re-signed with the same outfit as before at another of its landfills.

Thus the cover. We think that today's competitive tipping fees are scaled to that portion of an iceberg you can see. You may not want to think about what lurks beneath the surface, but your descendants will hold you in higher regard if you do.

Timothy Boos: New Editorial Advisory Board Member

MSW Management takes pleasure in welcoming Timothy Boos to its Editorial Advisory Board. Boos is cofounder and a principal of Weaver Boos Consultants, Inc. of Chicago, IL. A graduate of Purdue University in 1986 with a BSE in Geological Engineering, Boos' focus for the last 12 years has been on design, permitting, and operations of solid waste facilities. He also has extensive experience in design of hazardous waste landfills, treatment technologies for RCRA listed wastes, and groundwater statistics. Boos is the project manager for the Elkhart Town Landfill, the 1996 SWANA Gold Award for Landfill Excellence recipient.

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