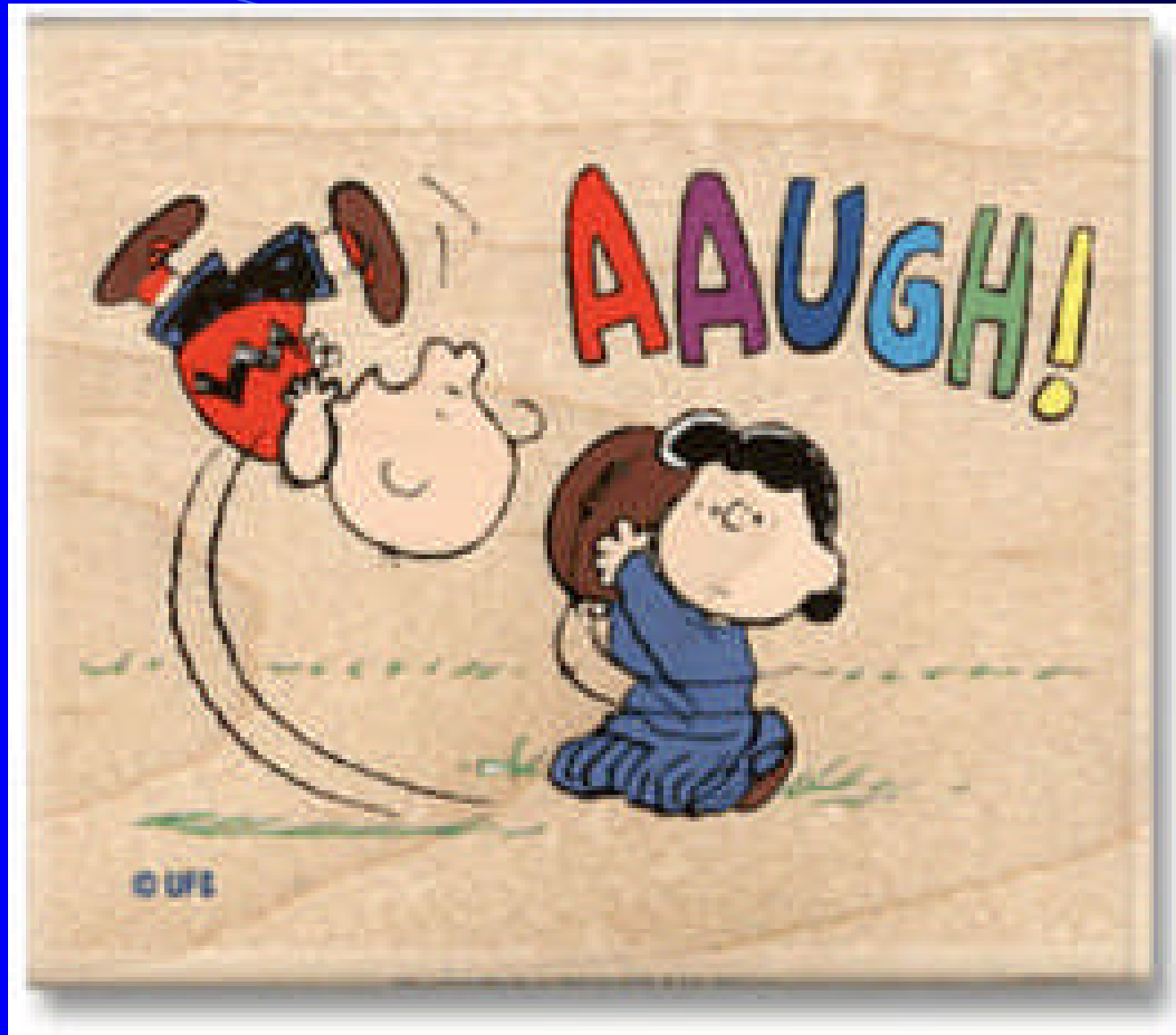


Presentation to the  
Environmental Review Commission.

# Landfills' Long-Term Liabilities

by Peter Anderson, *Executive Director*  
The Center for a Competitive Waste Industry



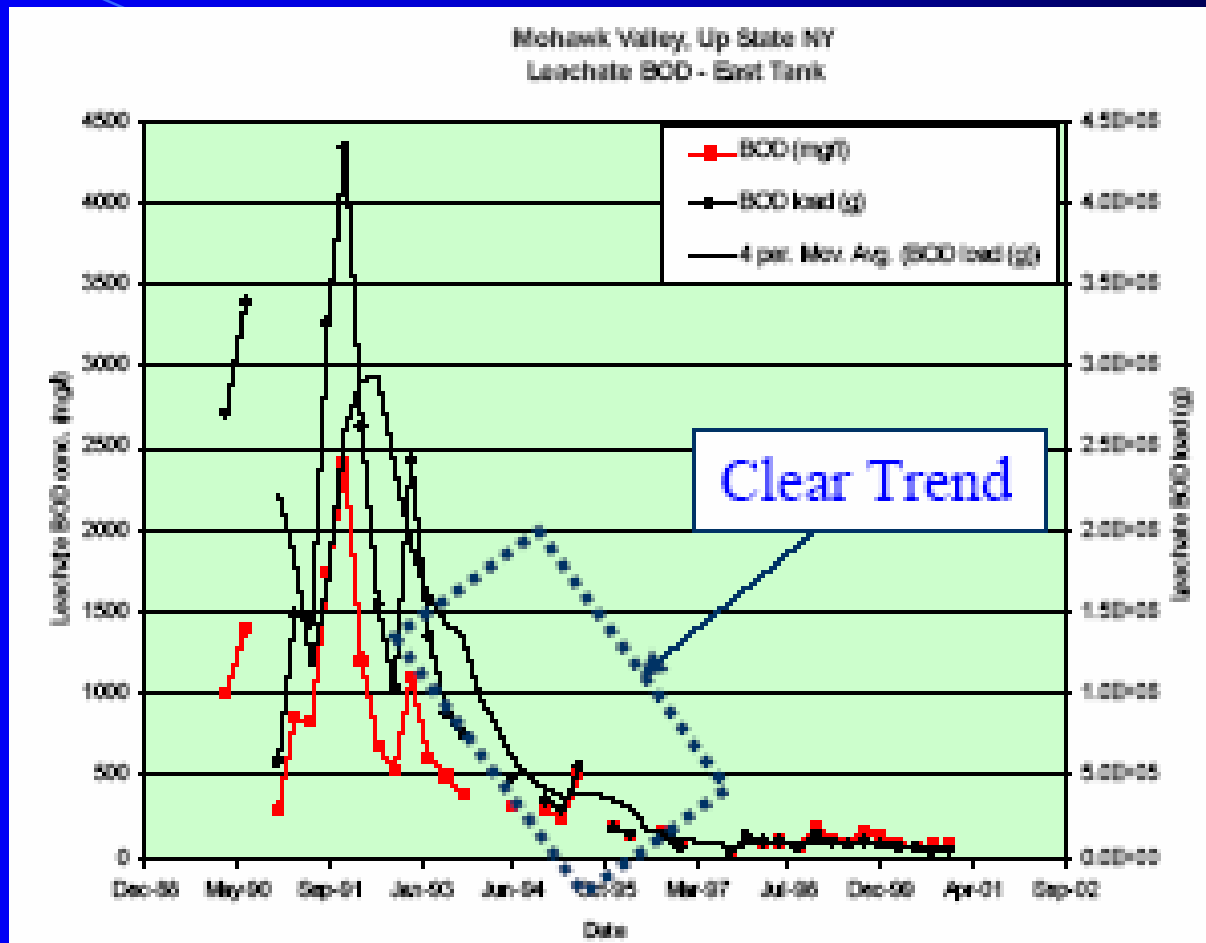
*The Center for a Competitive  
▶ Waste Industry ◀*

# Current Practice

- Routine care for 30 years after closure
- Uncertain funding mechanisms intended to assure that the routine care will be undertaken for that period

# The Industry View

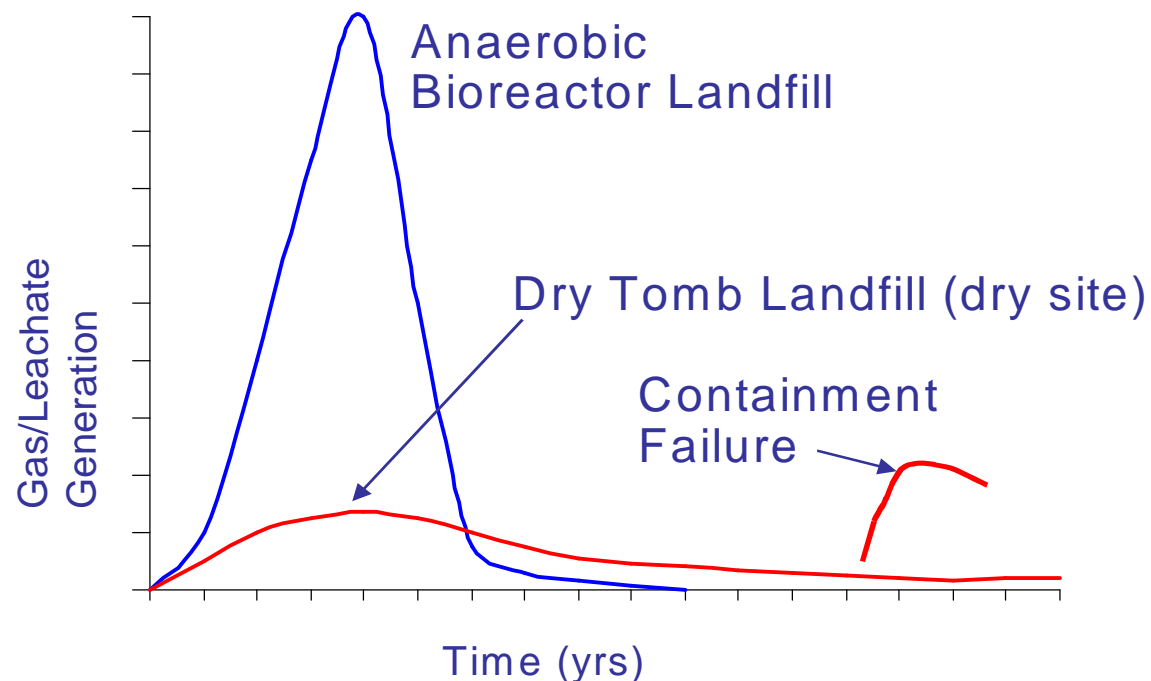
Industry consultant Mort Barlaz



# The New Reality

## California Integrated Waste Management Bd.

### Landfill Decomposition



# The First Problem

## *Second Wave*

- EPA in the Federal Register of Aug. 30, '88–

“[E]ven the best liner and leachate collection systems *will ultimately fail* due to deterioration...”



# There is no dispute

## ...*More Second Wave*

- SWANA Director and former EPA OSW Chief, John Skinner, in “Composting and Bioreactors,” MSW Management Magazine (July/August 2001) –

“The problem with the dry-tomb approach to landfill design is that it leaves the waste in an active state for a very long period of time. If in the future there is a breach in the cap or a break in the liner and liquids enter the landfill, degradation would start and leachate and gas would be generated....”

# SIZE MATTERS

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# The Second Problem

*Costs are Enormous*

- The true costs to address major landfill failures in the future could be 10 times greater than Superfund suggests – which are 10 times what current assurance covers

# Containment v. Remediation

- E.P.A., *Conducting Remedial Investigations - Feasibility Studies for CERCLA Municipal Landfill Sites* (1991)–

“[C]ontainment technologies will generally be appropriate remedies for wastes that pose a relatively low-level threat or where treatment is *impracticable*.”

# The Flaw in EPA's Policy

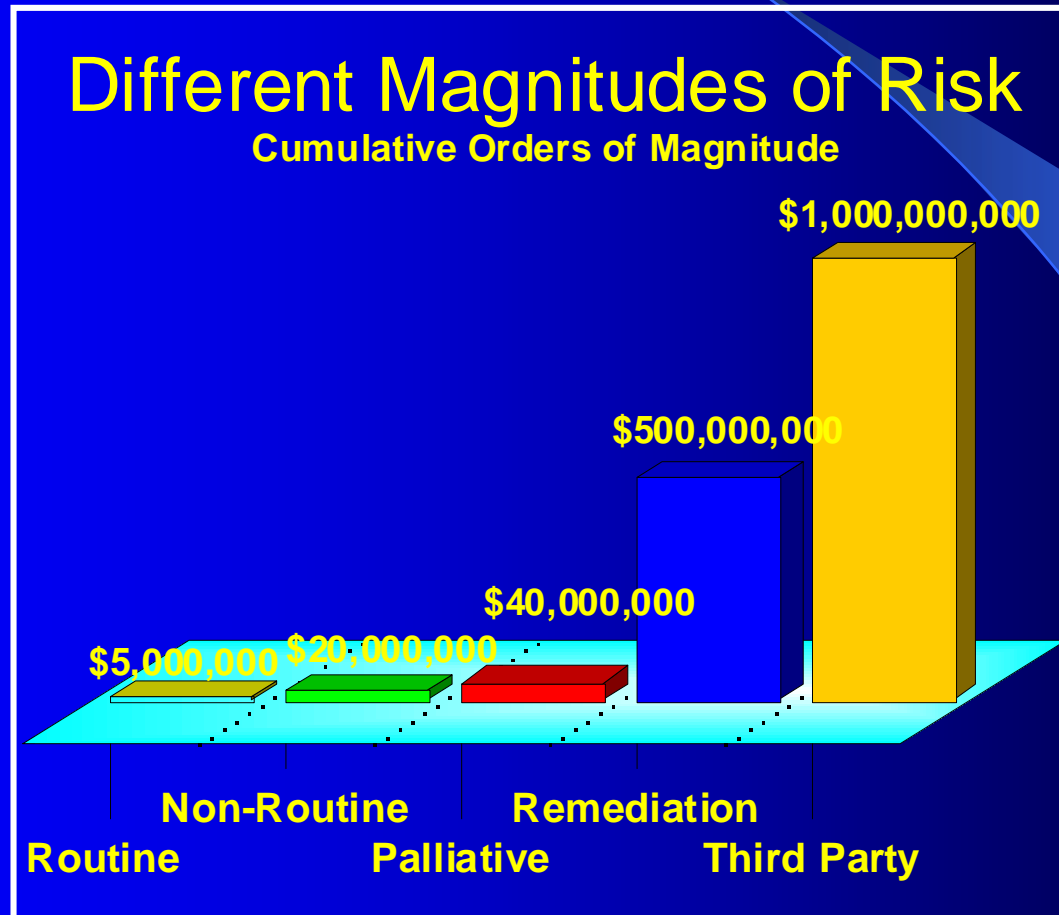
- When landfills fail: [1] cities will have sprawled around them and [2] standards will be stricter
- Modern mega-fills are several hundred feet high and may collapse catastrophically

# Catastrophic Site Failure Near Cincinnati in 1996



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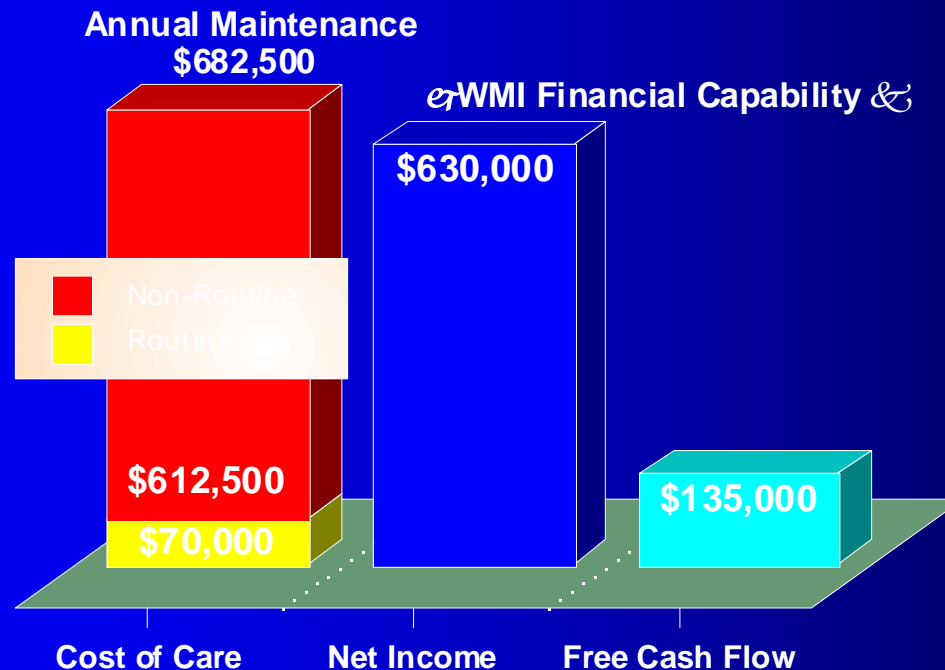
# What is at Stake



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# Care Costs Exceed Cash Flow

## WMI Available Funds Compared to Annual Post-Closure Maintenance



Source: Center for Competitive Waste Industry

*The Center for a Competitive  
Waste Industry*

# Recommendation

for Corrective Action & Third Party Injury

- Cover corrective action and third-party injuries with long-term catastrophic insurance

# You Decide Which is Correct

