

# SOUTHEASTERN PUBLIC SERVICE AUTHORITY

Board of Directors ~ Regular Meeting\*

Regional Board Room

723 Woodlake Drive, Chesapeake, Virginia



Wednesday, January 24, 2024 at 9:30 a.m.

\*To accommodate those who may not be able to attend in person, the public may listen to and view presentations displayed at this meeting by registering at <https://attendee.gotowebinar.com/register/9151646931829614682>. Members of the public may also listen to the SPSA Board Meeting via telephone by dialing toll-free to 1-877-309-2074 and entering access code 419-120-919. Additionally, members of the public are invited to speak electronically at the SPSA Board of Directors Meeting during the designated public comment period at the beginning of the meeting by registering in advance with the meeting organizer. All requests for registration to make an electronic public comment must be received by 3:00 p.m. on January 23, 2024.

**Meeting Organizer: Tressa Preston ~ [tpreston@spsa.com](mailto:tpreston@spsa.com) ~ 757.961.3486**



<b>1. Call Meeting to Order .....</b>	<b>1</b>
Pledge of Allegiance .....	1
<b>2. Public Comment Period.....</b>	<b>1</b>
<b>3. Chairman’s Comments .....</b>	<b>1</b>
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<b>12. Adjourn.....</b>	<b>45</b>

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**1. Call Meeting to Order**

Pledge of Allegiance

**2. Public Comment Period**

All speakers must register prior to call to order;  
5-minute maximum per speaker unless advised by Chairman differently;  
30-minute total maximum time.

**3. Chairman's Comments**

**4. Approval of Minutes**

The minutes of the December 13, 2023 Board meeting are included as follows for Board review and approval.

RECOMMENDED ACTION: Approve the minutes as presented.

MOTION: Do I hear a motion that the December 13, 2023 minutes of the SPSA Board of Directors meeting be approved as presented?

# MINUTES OF THE BOARD OF DIRECTORS OF THE SOUTHEASTERN PUBLIC SERVICE AUTHORITY OF VIRGINIA

December 13, 2023

The Regular Meeting of the Board of Directors of the Southeastern Public Service Authority (SPSA) was held at 9:30 a.m. in the Regional Board Room at the Regional Building, 723 Woodlake Drive, Chesapeake, Virginia. The following members were in attendance or as noted:

Mr. John Maxwell	(CH)	Mr. Earl Sorey	(CH)
Ms. Sheryl Raulston	(FR)	Ms. Amanda Jarratt <sup>1</sup>	(FR)
Dr. Dale Baugh	(IW)	Mr. Randy Keaton <sup>2</sup>	(IW)
Mr. John Keifer	(NO)	Mr. Richard Broad	(NO)
Mr. C.W. "Luke" McCoy	(PO)	Ms. Lavonda Graham-Williams <sup>3</sup>	(PO)
Mr. Tony Parnell <sup>4</sup>	(SH)	Ms. Lynette Lowe <sup>5</sup>	(SH)
Mr. D. Rossen S. Greene	(SU)	Mr. Albert Moor <sup>6</sup>	(SU)
Mr. Thomas Leahy	(VB)	Mr. L.J. Hansen	(VB)

(CH) Chesapeake; (FR) Franklin; (IW) Isle of Wight; (NO) Norfolk; (PO) Portsmouth, (SH) Southampton County; (SU) Suffolk; (VB) Virginia Beach

Others present at the meeting included Alternate Ex-Officio Members Mr. Michael Etheridge (IW), Mr. Jeremy Kline (VB), Mr. Robert Lewis<sup>7</sup> (SU), Mr. Oliver Love, Jr. (NO), Ms. Jocelyn Terry-Adumuah<sup>8</sup> (PO), and Mr. Greg Martin (CH), SPSA executives, Mr. Dennis Bagley, Executive Director, Ms. Tressa Preston, Secretary and Director of Administration, Ms. Sandy Schreiber, Treasurer and Director of Finance, and Mr. Brett Spain, General Counsel.

To accommodate those who could not attend in person, through the meeting notice, members of the public were also invited to listen to, and view presentations displayed at the meeting, by registering for attendance using a GoTo Webinar teleconferencing platform. Members of the public were also invited to speak at the SPSA Board of Directors Meeting during the designated public comment period at the beginning of the meeting by registering in advance with the Secretary through contact information published in the meeting notice. Members of the public were also invited to listen to the SPSA Board Meeting via toll-free telephone.

## 1. CALL MEETING TO ORDER

Dr. Dale E. Baugh, Chair of the Board of Directors, called the December Board Meeting to order at 9:30 a.m. and then he led the Pledge of Allegiance.

## 2. PUBLIC COMMENT

Ms. Preston reported that there were no requests for public comment.

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<sup>1</sup> Ms. Jarratt was absent from the meeting.

<sup>2</sup> Mr. Keaton left the meeting at 11:38 a.m.

<sup>3</sup> Ms. Graham-Williams was absent from the meeting and Ms. Terry-Adumuah served as voting member from the City of Portsmouth.

<sup>4</sup> Mr. Parnell was absent from the meeting.

<sup>5</sup> Ms. Lowe arrived at 9:37 a.m.

<sup>6</sup> Mr. Moor arrived at 9:42 a.m. during closed session.

<sup>7</sup> Mr. Lewis arrived at 9:38 a.m.

<sup>8</sup> Ms. Terry-Adumuah left the meeting at 11:37 a.m.

3. **CHAIRMAN'S COMMENTS**

Chairman Baugh informed the Board that, for the sake of time, the order of some agenda items would be altered to allow the RFI Presentation to take place after the conclusion of all other business in the event that discussion ran long. He also allowed Ms. Preston to explain that the speakers in the center of the room were for broadcasting and recording, but that the Board was to use their microphones as usual and that they could be assured that there would be no recording or broadcasting during the closed session portion of the meeting.

4. **APPROVAL OF MINUTES**

The minutes of the October 25, 2023 Board Meeting had been distributed. Chairman Baugh asked if there were any additions or changes and there were none.

**Mr. Keifer moved, seconded by Mr. Sorey, to approve the October 25, 2023 minutes of the SPSA Board of Directors, as presented. The motion was adopted by a unanimous vote in favor.**

5. **2024 BOARD MEETING DATES**

Ms. Preston asked the Board to turn their attention to the final page of their agenda packets where the proposed dates for the 2024 Board Meetings were listed. Ms. Preston explained that the 2024 dates follow the same pattern as they have previously: 9:30 a.m. on the fourth Wednesday of the month, with the exception of November, when there is no meeting, and December, when the meeting falls on the second Wednesday of the month. By following this pattern, major State holidays and other established regional meeting schedules should be accommodated.

**Mr. Broad moved, seconded by Mr. McCoy, to approve the 2024 Board Meeting dates, as presented. The motion was adopted by a unanimous vote in favor.**

6. **CLOSED SESSION**

Chairman Baugh reminded those present that a closed session to discuss the annual performance review of the Executive Director was on the agenda and announced that only Board Members would be present for that closed session. There were no objections to that plan. Prior to the beginning of the closed session, Chairman Baugh asked that Mr. Spain also participate in the closed session and there were no objections.

Motion to Approve Request for Closed Meeting.

*I move that a closed session be held for discussion regarding the annual performance review of the Executive Director, in accordance with Virginia Code Section 2.2 3711(A)(1) relating to the performance of a specific public officer.*

**At 9:38 a.m., Mr. Broad moved, seconded by Mr. McCoy, to enter closed session, as presented. The motion was adopted by a unanimous roll call vote in favor.**

Once back in open session both in person and electronically the following motions took place.

Motion to Approve Certification after Closed Meeting.

*The Board hereby certifies that, to the best of each member's knowledge: (i) only public business matters lawfully exempted from open meeting requirements by Virginia law under the Virginia Freedom of Information Act; and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered in the closed meeting just concluded.*

The Board came back into open session at 10:11 a.m., at which time Mr. Hansen moved, seconded by Mr. McCoy, to certify the closed session, as presented. The motion was adopted by a unanimous roll call vote in favor.

Mr. Leahy moved, seconded by Mr. Moor, to approve, in recognition of the outstanding performance of Executive Director, Dennis Bagley, a 3.2% cost of living increase in base salary and a 5% one-time cash bonus for 2023 performance, to be effective January 1, 2024. The motion was adopted by a unanimous vote in favor.

## 7. EXECUTIVE DIRECTOR UPDATES

Mr. Bagley began his report by thanking Chairman Baugh and voicing his appreciation for the Board's confidence in him, noting that it had been a challenging year, with many challenges ahead, but that he and staff are looking forward to hitting the ground running and facing those challenges head-on.

Mr. Bagley recognized Mr. Marshall "Bubba" Tatem, recently promoted Transportation Manager, as the SPSA Values in Action Employee of the Month. Mr. Bagley chose to recognize Mr. Tatem not only for his excellent work at SPSA, but for the community stewardship that he and his wife provide for area families this time of year, opening their home as Mr. and Mrs. Claus so that children can visit and take pictures with Santa free of charge every Friday and Saturday from Thanksgiving to Christmas. Chairman Baugh presented Mr. Tatem with a certificate and lapel pin as tokens of the Board's appreciation.

Ms. Jasmin Walters presented the Board with a final briefing on the Salary Study and implementation of the Board-approved Pay Plan effective December 1, 2023. She covered the details of the process, including messaging to staff, methodologies used to assess changes, costs, implementation, and continued efforts toward future goals in evaluations and merit-based pay. She thanked the Board for their support and vision in using this project as a catalyst to move competitive pay forward for the entire region.

HR  
UPDATE

"OUR JOURNEY IS NOT FINISHED BUT  
WE HAVE COME A LONG WAY"

MUHAMMADU BUHARI

SALARY  
STUDY

THIS SUMMER, THE BOARD  
APPROVED:

- JULY 1 COLA
- SIGN-ON BONUS
- DEC 1 PAY PLAN

AS A MEANS TO LEAD THE CHARGE IN  
COMPETITIVE PAY FOR THE ENTIRE  
REGION.

-  5% INCREASE
-  ADJUST TO MINIMUM
-  ACCOUNT FOR COMPRESSION
-  PERSONNEL REVIEWS

**THANK YOU!**  
WE COULDN'T HAVE DONE IT WITHOUT YOU!

## THE PROCESS

**GROUP COACHING SESSION**

The Executive Team and HR met with all of the supervisors and managers as a group so that they were clear on our expectations.

**DEPARTMENT MEETINGS**

The Executive Team and HR met with each department individually to discuss employee performance at each site.

**EXECUTIVE REVIEW**

The Executive Team and HR met to discuss each individual employee and make a final determination.

## EXECUTIVE REVIEW

- ADDRESS COMPRESSION
- ACCOUNT FOR TENURE
- ACCOUNT FOR EXPERIENCE PRIOR TO SPSA
- PULL BACKS
- PUSH FORWARDS

-  **ANNUAL INCREASE**  
ALL EMPLOYEES
-  **ADJUST TO MINIMUM**  
25 EMPLOYEES
-  **ACCOUNT FOR COMPRESSION**  
ALL EMPLOYEES REVIEWED
-  **PERSONNEL REVIEWS**  
ALL EMPLOYEES

## COST SUMMARY

<b>ESTIMATED</b>	<b>ACTUAL</b>	<b>\$ 125,233.61 BELOW</b>
<b>\$ 423,805</b>	<b>\$ 298,571.39</b>	

## THE ROLLOUT

**MEMO DELIVERY**

HR created memos for each individual employee and met with supervisors and managers to prepare them for discussions.

**ONE-ON-ONE DISCUSSIONS**

Supervisors and Managers met with their staff individually to discuss our process, their pull backs, push forwards and ways their performance can improve.

**CORRECTIONS**

We made sure the conversation could continue. We made corrections for oversights based on valid evaluation criteria.

# THE FUTURE



**ACCURATE JOB DESCRIPTIONS**

- New template
- Kerri tours
- Manager review



**THOROUGH EVALUATIONS**

- Push Forwards
- Pull Backs
- Measurable and Specific



**PERFORMANCE BASED MERIT INCREASES**

- Initiative
- Cont. Education
- Certifications

# OTHER UPDATES

While staff and members of the Executive Committee were already aware, Mr. Bagley informed the full Board that Ms. Walters had made the difficult decision to return to Maryland to be closer to family at this time. While a great loss for SPSA, staff fully support her, thank her, and wish her all the best. Because of Ms. Walter's dedication to SPSA, she and staff took the time to find and train the best possible candidate for SPSA's new HR Manager and are confident that person has been found in Ms. Cam Smith. Ms. Smith is a Navy Veteran with a master's degree in human resources management from Temple University and 12 years of experience. Even more importantly, she understands the vision for service-based HR at SPSA and is ready to carry forward the momentum that has been created under Ms. Walters' tenure. Ms. Smith presented the latest recruitment statistics and upcoming SPSA Human Resources events, like the Employee Appreciation event, and the Trash Bash, taking place on February 3, 2024 from 6:00 p.m. to 11:00 p.m. at the Founders Inn in Virginia Beach.



*Nice to Meet You*

**US NAVY VETERAN**  
USS Kearsarge, Norfolk, VA  
CNATT, Lakehurst, NJ

**12 YRS EXPERIENCE**

- Employee/Labor Relations
- Training and Development
- Leadership
- Change Management

**MS HRM**  
Temple University  
Fox School of Business

**SPHR**  
Senior Professional in  
Human Resources, HCRI

CAM SMITH



# RECRUITMENT



**14 VACANCIES**

- 3- Scale Attendants
- 7- Operators
- 2- Environmental
- 2- Administrative

\*3 Contingent Offers\*



**7 OPERATORS**

- 5- TVO
  - 2 Ret
  - 2 Term
  - 1 Res
- 1- HEO
- 1- HE Mech



**25 HIRED**

- 10- TVO
  - 7-YELLOW
- 8-HEO/LEO
- 1- HEM
- 3- SA
- 1- SWA
- 1- Admin (HR)



The image shows a presentation slide for SPSA Waste Solutions. The top left features the SPSA logo and the text 'WASTE SOLUTIONS'. Below this is the heading 'UPCOMING EVENTS' in large orange letters. Three vertical bars represent dates: 12/14 & 12/15, 2/3/2024, and 3/11/2024. Under each bar are event details:
 

- MHFA TRAINING**: 12/14 & 12/15, 8a-12p, Chesapeake Integrated Behavioral Healthcare Prevention Services.
- TRASH BASH 2024**: 2/3/2024, 6p-11p, Founder's Inn Virginia Beach.
- IN-SERVICE TRAINING**: 3/11/2024, 8a-4p, All employees.

 To the right of the events is a dark blue box with the word 'QUESTIONS?' in green. Further right is a quote: 'Change does not change tradition. It strengthens it. Change is a challenge and an opportunity; not a threat.' attributed to Prince Phillip of England.

Ms. Walters and Ms. Smith offered to answer any questions. Chairman Baugh commented that SPSA has been extremely well served by Ms. Walters and, on behalf of the Board, he thanked her for her positive contributions, noting that she will be missed and that everyone wishes her well. He welcomed Ms. Smith aboard and said they were delighted to have her join the organization.

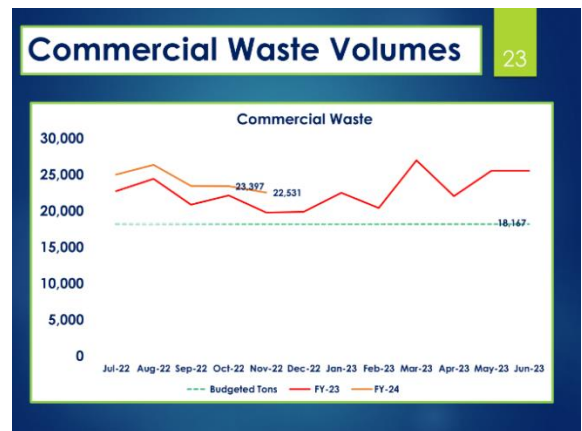
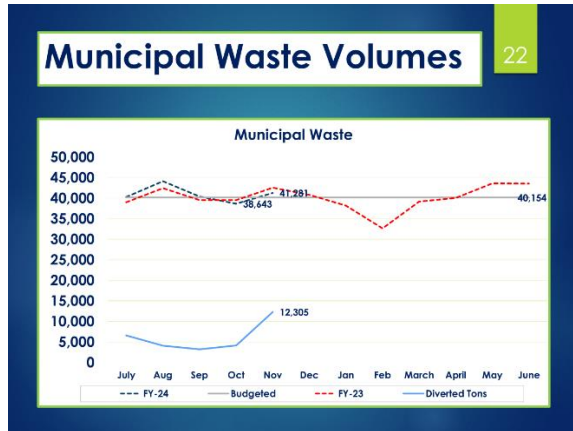
Regarding the wetlands permitting process required for the proposed expansion at the Regional Landfill and the Army Corps of Engineers' Environmental Impact Statement (EIS), staff met with the Corps the previous day and learned of some new developments that must be assessed and will be brought back to the Board at the January Meeting. Archaeologists have been on site doing fieldwork for the Phase 1-B study, but more work may be necessary, as well as additional information needing to be provided. The target date for the record of decision may also need to be pushed back from March of 2024 to June of 2024, however staff is hopeful that things may move faster than that, particularly because Colonel Hallberg has expressed a desire to come to a decision before he changes his post this coming summer.

Mr. Bagley reminded the Board that there was a recent fire at the WIN/Wheelabrator facility that caused major damage to one of the three processing lines. That line is not being repaired, but WIN has resumed operations with the two remaining lines and is able to process 1000 tons per day for SPSA, as agreed upon. Mr. Bagley added that once SPSA takes possession of the facility in July of 2024, that line was scheduled for demolition, so as long as WIN can continue to process 1000 tons per day per the terms of the agreement, the damaged line does not impact SPSA in any way.

Mr. Bagley went on to say that the Purchase and Sale Agreement, Waste Disposal and Service Agreement Amendment, and Demolition Agreement with WIN Waste have all been fully executed. The first two payments have been received and the payment bonds and guarantees are in place. Chairman Baugh, Mr. Bagley and Mr. Strickland had a very productive meeting with the Captain from the Navy Shipyard the previous week and feel they have his support, including the assignment of the WIN Waste easement to SPSA. All parties look forward to continuing SPSA's longstanding mutually beneficial relationship with the Navy. As an extra measure of due diligence, SPSA has issued a task order to SCS Engineers to perform a Phase I Environmental Assessment of the RDF site before closing.

Mr. Bagley reviewed municipal and commercial waste volumes for the reporting period, as well as total waste volumes and tons diverted, noting that municipal waste volumes were above average for November and below average for October, as is the trend year over year. He also pointed out increased diversions due to the fire at WIN Waste and increased

commercial tonnages which are comfortable anomalies from a revenue and operations standpoint.



Ms. Grace Roquemore presented an Environmental Update in her new role as Environmental Manager, making the Board aware of SPSA’s receiving the Elizabeth River Project’s River Star “Sustained Distinguished Performance at Model Level” Award. Ms. Roquemore explained that the Elizabeth River Project is a local non-profit organization dedicated to the preservation of the Elizabeth River, the creation and preservation of wildlife habitat, and community outreach and education. The River Star Program recognizes businesses that perform meaningful environmental stewardship and SPSA has been involved in the program since its inception in 1997 and has been recognized at “Model Level” since 2006. Ms. Roquemore went on to say that this new distinction of Sustained Distinguished Performance is only awarded to organizations that show significant environmental initiative, so it is truly something to be proud of and speaks to SPSA’s dedication to continuous improvement. She thanked all of the SPSA staff across various departments for their contributions toward this recognition, as well as the HRSD Platinum Award and staff’s continued work with the Wildlife Habitat Council. There were no questions for Ms. Roquemore, but Mr. Bagley commented that her work has contributed significantly to SPSA’s long range goals of making the value of environmental stewardship more visible in daily operations. He thanked her for her excellent results.

**8. REGIONAL SOLID WASTE MANAGEMENT PLAN APPROVAL**

As the Board has discussed at length, the Regional Solid Waste Management Plan (RSWMP),

following the completion of the required public hearings, all parties being briefed on the changes to the RSWMP, and the Hampton Roads Planning District Commission (HRPDC) Board of Directors voting to approve, the final step before presenting to DEQ, is for the SPSA Board of Directors to vote to approve. Mr. Bagley reminded the Board that the major amendments to the RSWMP are expansion to the Regional Landfill in Suffolk to include proposed expansion into Cells VIII and IX, and a movement down the waste disposal hierarchy due to the unavoidable early closure of the WIN Waste/Wheelabrator Waste to Energy facility.

There were no questions about the RSWMP itself, but Mr. Eric Walberg, Principal for Planning and Economics for the HRPDC clarified that the HRPDC's Solid Waste Planning Group is a standing committee that will continue to function and may assist in other relevant discussions. Mr. Bagley added, on that topic, that a meeting was being scheduled with that group and the SPSA member communities' Chief Administrative Officers to continue discussions about SPSA's long-term future planning.

**Mr. Keifer moved, seconded by Mr. Leahy, to approve the Regional Solid Waste Management Plan, as presented. The motion was adopted by a unanimous vote in favor.**

## 9. WRITTEN REPORTS

Chairman Baugh asked if there were any questions regarding the WIN Waste Report or the Financial Reports, but there were none.

## 10. RFI PRESENTATION

Mr. Bagley reintroduced Mr. Bob Gardner of SCS Engineers who would be guiding the Board through the responses to the Request for Information on Alternative Waste Disposal which had been reviewed by staff and consultants. Mr. Bagley encouraged the Board not to get bogged down in the technical terms and details at this point but assured them that the consultants would walk through things at the Board's comfort level. He told the Board how excited he and staff are for this next chapter for SPSA and turned the RFI Response presentation over to Mr. Gardner. Mr. Gardner reviewed each of the technologies that were presented in the eight responses received, the diversion claims that were made, the contract terms requested for non-landfilling solutions, as well as their range of development schedules. He also reviewed prospective financing options, proposed tonnage capacities and space utilization. Mr. Gardner then spoke more specifically of responders with demonstrated experience and those without demonstrated experience. He also reviewed staff and consultant recommendations about next steps and what a potential conceptual schedule might look like.



## Report on RFI

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- ▶ **Diversion Claims**
  - ▶ Not all respondents addressed diversion rates
  - ▶ Those that did provide diversion rates ranged from 65% - 95% diversion
- ▶ **Terms Requested for Alternatives to Landfilling**
  - ▶ 10 – 25 years
  - ▶ 20+ years was preferred
  - ▶ Terms of less than 20 years would result in higher tip fees
- ▶ **Development Schedules**
  - ▶ One mixed waste proposal could start at a small scale effective immediately and ramp up over 2 years
  - ▶ Other proposals were 2 – 4 years

## Report on RFI

36

- ▶ **Financing Options Included**
  - ▶ Public Private Partnership
  - ▶ Industrial Revenue Bonds
  - ▶ Private Financing
- ▶ **Anticipated Capex**
  - ▶ 750 M +
- ▶ **Facility Capacities Proposed**
  - ▶ 360,000 TPY – 855,000 TPY
- ▶ **Utilization of space at the RLF and The RDF facility were suggested to lower cost and improve SPSA efficiency**

## Responders with demonstrated experience

37

- ▶ **RDS (Recycling Disposal Solutions)**
  - Mixed Waste Facility
  - Organic Composting
  - Anaerobic Digestion
    - ▶ Currently operating a mixed waste material recycling facility in Portsmouth
    - ▶ Currently sorting recyclables and recycling residue at multiple other facilities
- ▶ **TFC (Tidewater Fiber Corp)**
  - Curbside Collection of Single Stream
  - Single Stream Sorting Facility
  - Mixed Waste Facility
    - ▶ Currently collects single stream and operates a Single Stream Material Recycling Facility
    - ▶ No experience in Mixed Waste Facilities

## Responders with demonstrated experience

38

- ▶ **BHS (Bulk Handling Systems)**
  - Mixed Waste Facility
  - Anaerobic Digestion
  - Biogas Production
    - ▶ Has experience as a supplier of processing equipment and operating in some instances.
- ▶ **Repower South**
  - Mixed Waste Facility
  - Pyrolysis (Hard to recover plastic to naphtha oil)
  - Anaerobic Digestion
    - ▶ Operates two facilities - One facility in South Carolina and one in Alabama

## Responders with no demonstrated experience

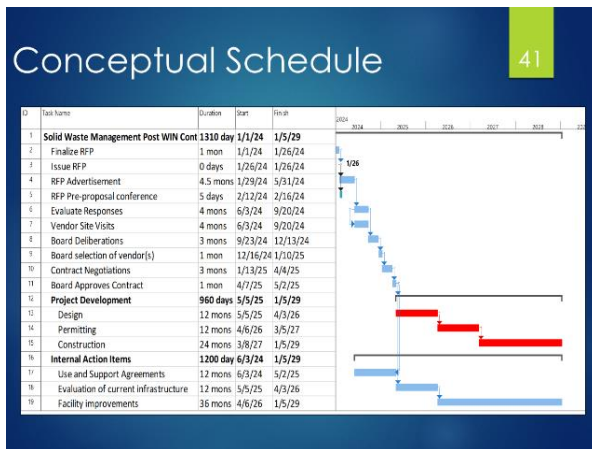
39

- ▶ **Carbon Sweep**
  - Mixed Waste Material Recycling Facility
  - Dry and Grind plastics into Engineered Fuel Pellets (EFP)
  - EFP's are then converted into renewable diesel and other products for commercial sale
- ▶ **IBC Renewables –**
  - Mixed Waste Material Recycling Facility
  - Gasification
  - Induction Furnace
- ▶ **Hughes Energy-**
  - Autoclave Technology
- ▶ **Waste Management –**
  - Nothing specific was proposed in their response. They offered a laundry list of available technologies but did not provide anything specific or where they currently utilize the technology. However, WM is the largest solid waste company in North America.

## Recommendation

40

- ▶ Begin negotiating new Use and Support Agreements establishing a minimum 20-years term, with 10-year renewable terms
- ▶ Finalize and issue the RFP for solid waste processing services
  - ▶ Exclude the landfilling option (that can be negotiated if needed at any time)
  - ▶ Request solutions that achieve 60+% diversion
  - ▶ Set term to 20 years
  - ▶ Request specifics on financing and financial capabilities of the entities
  - ▶ Finalize evaluation criteria
  - ▶ Conduct site visits to various mixed waste processing facilities in the US, and specifically some of the referenced facilities in the RFI responses



The Board engaged in extensive discussions on how best to move forward with preparations for an RFP, given the information learned from RFI responses and staff and consultant recommendations. Concerns were raised about financing sources, specific technologies, the need for demonstrable results, revenue and cost assumptions, and implications for long-term planning. It was agreed that issuing the RFI was a worthwhile exercise that provided valuable insight. Once it was determined that the discussion had concluded, Chairman Baugh summarized the plan moving forward. Before the January Board Meeting, Mr. Bagley, staff, and consultants would take the essence of the comments provided at the day's meeting and incorporate them into a draft of the RFP format that will then be provided to the Board in advance of the meeting for their consideration, comment, and discussion at the January Board Meeting. The conceptual schedule presented at the day's meeting would also be enlarged and disseminated. SCS Engineers and special counsel, Mr. Brad Nowak, who was instrumental in previous successful waste disposal contractual agreements, will be present at the meeting to aid the discussion. As is customary, the draft RFP will include proposal evaluation criteria which will be subject discussion and commentary.

## 11. ADJOURN MEETING

There being no further business to come before the Board of Directors, the regular meeting was adjourned at 11:39 a.m.

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Dennis L. Bagley  
Executive Director

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Submitted by: Tressa Preston, Secretary, SPSA Board of Directors

## **5. Executive Director Updates**

Attachments:

- Landfill Operational Summary
- Executive Committee Minutes – October 18, 2023

# Landfill Operational Summary

SPSA Regional Landfill Operational Summary				KEY:	
Period	December 1 to December 31, 2023			Change Since Last Report	
Preparer	Grace Roquemore			All Is Well	
				Working On	
				Noted Issue	
Item	Metric Item	Metric	Performance/Comment	Status Code	Comments/Corrective Actions
<b>1</b>	<b>Regulatory Compliance</b>				
1.1	Notice of Violations	None	In Compliance		No issues during the reporting period.
1.2	Environmental compliance and reporting	Compliance	All submissions made.		No issues during the reporting period.
1.2.1	Solid waste operations	Compliance	In Compliance		No issues during the reporting period.
1.2.2	Title V	Compliance	In Compliance		The Air Dispersion Modeling Protocol for the NSR Air Permit (pertaining to the installation of a leachate concentrator) was approved by the DEQ on 12/19/23 and SCS has begun the modeling process. The BACT analysis is under review by the DEQ.
1.2.3	VPDES	Compliance	In Compliance		Current permit was issued as of October 1st, 2020
1.2.4	Financial Assurance	Compliance	In compliance		
1.2.5	Wetlands	Compliance	In Compliance		
1.2.6	Groundwater	Compliance	In Compliance		Q4 2023 GPS Exceedance Notification submitted on 12/20/23 to the DEQ for MW-4R, MW-27, and MW-30. A Corrective Action Plan (CAP) has been established and implemented for each GPS exceeding constituent and well; thus, no further actions beyond continued monitoring and implementation of the CAP are required at this time. The Q3 2023 Groundwater Monitoring Report was submitted to the DEQ on 12/22/23.
1.2.7	Storm water system operating and in compliance with VPDES permit	Systems operational and in good order	In Compliance		In compliance.
<b>2</b>	<b>Landfilling Operations</b>				
2.1	Tonnage Landfilled	Actual Tons	37,045		
2.2	No. staff	13.5	10.5		3 vacancies: , 1 LDF HEO, 2 Environmental Techs
2.2	Equipment Utilization	Key equipment fully operational and deployed	All equipment operating and deployed with appropriate spares		
<b>3</b>	<b>Cover Operations</b>				
3.1	Total Cover Material Received	Actual Tons	9,791		
3.2	Date of last aerial survey	Date	12/1/2023		
3.3	December 2020 Operational In-Place Density (lbs./cy)	1,600-1,800lbs/cy	1,903 lbs./cy or AUF = .94		Airspace Study completed January 2023
3.4	December 2020 Effective In-Place Density (lbs./cy)	1,600 lbs./cy	1,997 lbs./cy or AUF = .99		Still above targeted long term airspace utilization.

<b>4</b>	<b>Leachate Management</b>				
4.1	Pump stations operational during period	100 % Operational	All pump stations are operational, pump performance is being monitored, and repairs/replacements made as necessary.		All vaults are operational. Ongoing maintenance on the Vault #6 pump system. The vault is operated manually in the meantime.
	SCADA system operational during period	100 % Operational	Fully operational		SCADA is fully operational. Low-flow pumps were replaced on 10/24/23.
4.3	Flow meter system functional during period	100 % Operational	All 8 Cell V/VI Pump Stations are operational		Annual flow meter calibration (FIT-301, FIT-302, FIT-401) completed on 12/14/23 and submitted to HRSD, as required.
4.4	Leachate Levels	In compliance	In compliance.		1. In compliance at all 8 pump station locations. 2. Flow generation remain < 40,000 GPD typically.
4.5	Leachate Disposal	In compliance			No issues during the reporting period. Sampling for Atlantic Waverly disposal requirements was completed on 12/21/2023. Lab results were received 01/09/2024.
4.5.1	Quantity of leachate pumped to HRSD during period	x gallons	881,306		From 12/01/23 to 12/31/23
4.5.1.1	Cell V, Sumps 1-4	x gallons	311,264		From 12/01/23 to 12/31/23
4.5.1.2	Cell VI, Sumps 5-8	x gallons	401,625		From 12/01/23 to 12/31/23
4.5.2	Quantity of leachate hauled for disposal during period	x gallons	275,597		From 12/01/23 to 12/31/23
4.5.3	Disposal costs in period: \$		21,417		From 12/01/23 to 12/31/23
4.5.4	Any issues relative to leachate quality and acceptance at WWTPs?	No constraints	No constraints		
<b>5</b>	<b>Landfill Gas Management</b>	Compliance	In compliance		
5.1	Operational Metrics				
5.1.1	Elevated liquid levels in wellfield? Yes/No				
5.1.2	# Wells below 45% methane	Observation			
5.1.3	# wells > 130F	Observation			
5.1.4	# wells > 150F	Observation			
5.1.5	# wells with CH4/CO2 ratio <1 or trending to below 1.0	Observation			
5.1.6	% of wells with elevated liquid levels reducing available slotted pipe length by ***%	TBD			
5.1.7	Average system vacuum	TBD			
5.1.8	# wells with positive pressure observed	None	8 open exceedances as of 01/10/2024		
5.1.9	# wells not operational (turned off)	Observation			
5.2	Wellfield maintained and monitored	Yes/No			
5.3	Landfill Gas Migration Monitoring	No methane level exceedances during the last quarterly monitoring event.			
<b>6</b>	<b>Odor Complaints</b>	No complaints	0		From 12/01/23 to 12/31/23
	<b>Odor complaints</b>	# Odor Complaints	0 odor complaints		Odor neutralizer is in place and operational. Used as needed to control odor.

**Acronym Definitions**

**ACOE-** Army Corps Of Engineers **AUF-** Airspace Utilization Factor **BOD-** Biological Oxygen Demand **CAP-** Corrective Action Plan  
**COD-** Chemical Oxygen Demand **CSCE-** Comprehensive Site Compliance Evaluation **DMR-** Discharge Monitoring Report  
**GPS-** Groundwater Protection Standards **LCL-** Lower Confidence Limit **NOV-** Notice Of Violation **SCADA-** Supervisory Control And Data Acquisition  
**SWIFT-** Sustainable Water Initiative For Tomorrow **SWPPP-** Storm Water Pollution Prevention Plan **VPDES-** Va. Pollution Discharge Elimination System  
**WWTP-** Waste Water Treatment Plant **PLC-** Programmable Logic Controller **GPM-** Gallons Per Minute **GPD-** Gallons Per Day



**Executive Committee Minutes  
Southeastern Public Service Authority of Virginia  
October 18, 2023**

A regular meeting of the Executive Committee was held at 9:30 a.m. in the conference room of the SPSA Regional Landfill Administrative Building in Suffolk, Virginia and was called to order by Chairman Dale Baugh. The other Executive Committee Members present at this meeting were Ms. Sheryl Raulston, Mr. Randy Keaton, Mr. Al Moor and Mr. Tom Leahy. Also in attendance were Executive Director, Dennis Bagley, Director of Administration, Tressa Preston, Director of Operations, Henry Strickland, and General Counsel, Brett Spain. Board Member Mr. Luke McCoy attended the meeting, as well.

**Items for Discussion:**

1. Review and approve Executive Committee Minutes of September 20, 2023.

**Mr. Leahy moved, seconded by Ms. Raulston, to approve the minutes of September 20, 2023. The motion was adopted by a unanimous vote in favor.**

2. Chairman's Comments

Chairman Baugh informed the Committee that, based on consultation with Mr. Spain, SPSA's General Counsel, moving forward, the policy of and practice at SPSA Executive Committee Meetings will be that SPSA Board Members not on the Committee may attend, but may not participate via comment in the meeting. Mr. Spain explained the general rules regarding public meetings under the Virginia Freedom of Information Act (FOIA), including a recent interpretation of those rules by the Virginia Supreme Court, and noted that this practice will help ensure that SPSA remains in compliance with FOIA. As always, Chairman Baugh insists that all SPSA business meet the appropriate legal standards of conduct.

3. Executive Director Updates

- a) Upcoming Board Meeting New Agenda Items

At the October Board Meeting, Directors will be reminded that the Executive Director's Evaluation will take place in December. Evaluation forms will be distributed in hard copy form at the meeting, as well as electronically, after the meeting. The form has been updated to reflect goals for the 2023 calendar year and should be returned to Ms. Preston on or before December 1, 2023.

The Fiscal Year 2023 Audit will be presented by auditors from Cherry Bekaert. Staff and the Audit Committee have met with the auditors and are satisfied with their work. They have asked that the presentation be catered to the Board's specific interests and concerns.

Based on feedback from the September Board Meeting regarding issuing an RFP or an RFI for Alternative Waste Disposal, Mr. Bagley asked SPSA attorneys to review Public Procurement law regarding issues specific to the Board's requests. He has arranged to have attorney Kevin Cosgrove come to

the October Board Meeting to explain the differences between the options and what the Board can reasonably expect of each from a procurement standpoint. The Committee discussed the viability of options from a number of perspectives including impacts to overall timing, funding, and long-term strategic planning for SPSA's future.

A closed session is planned for the October Board Meeting so that SPSA attorneys may present the technical aspects of the WIN/Wheelabrator contracts that are now ready to be submitted for Board approval. They will take the form of three separate agreements that cover the sale of the Refuse Derived Fuel plant, the Amended Waste Disposal Service Agreement through June 30, 2024, and the demolition required at the former RDF facility. If the Board is satisfied with the attorneys' presentation in closed session, the meeting will return to open session, the attorneys will present a condensed version of the presentation to the public, and the Board will vote on a single Resolution to approve the execution of all three agreements.

b) Ongoing Update Items

Regarding the Environmental Impact Statement (EIS) for the Army Corps of Engineers required for wetlands permitting necessary for planned expansion at the Regional Landfill, third-party contractors, VHB, need to increase their contract for additional work not covered in previous contract amendments. This change has been anticipated due to continued requests and requirements from EPA.

The Leachate Evaporator installation is requiring a new source review in order to receive permitting from DEQ, but they have allowed groundwork to begin so that as soon as the review is complete, equipment can be placed, and leachate processing can begin.

At the Renewable Natural Gas facility, mercaptan removal has been successful and DEQ is completing an additional soil sample to determine if any soil remediation is necessary. Mr. Bagley was informed that DEQ was pleased with SPSA's response to the Terreva contractor's error that resulted in the incident.

c) Upcoming Board Meeting Agendas

In December the Board will evaluate the Executive Director, based on the performance appraisals completed by the Board of Directors. Mr. Bagley also anticipates that the agenda will include an update on Cell VII construction and draw schedule plans.

4. RNG Facility Ribbon Cutting Ceremony

At 10:27 a.m. the Committee left the conference room to attend the Ribbon Cutting Ceremony at for the Renewable Natural Gas (RNG) Facility on the Regional Landfill Property. Chairman Baugh, Mr. Bagley and Mr. Richard Crowther of Terreva Renewables, SPSA's partner in the RNG Facility, spoke of what a great advancement in green technology for the region the facility is and how it was only made possible by the support and vision of the SPSA Board of Directors. Tours of the facility were given while attendees enjoyed refreshments and discussed the innovative initiative. The event was attended by the SPSA Board Members listed above, as well as Ms. Lavonda Graham-Williams. State Delegate Clinton Jenkins, Suffolk City Council Member Leroy

Bennett, Suffolk Fire Department Battalion Chief Demitri Wilson, Virginia Department of Environmental Quality Tidewater Region Director Craig Nichol, and Deputy Secretary for the Virginia Department of Natural and Historic Resources Jennifer Walle, were also in attendance.

5. Lunch and Presentation from IBC Renewables

At 12:09 p.m. the Committee regrouped in the conference room for a working lunch and a presentation on IBC Renewables. They were joined by Mr. Ray Crabbs, President and CEO of IBC Renewables, and Mr. Jim Spore, Retired Virginia Beach City Manager and Civic Leader. Mr. Crabbs gave a presentation on his patented combination gasification MRF process that he intends to implement in a facility in Chesapeake that has yet to be built. Mr. Crabbs provided details on the science that supports his ideas, as well as the experts that make up his team and his personal passion and dedication to the project. The Committee asked him questions regarding financial matters, construction timelines, business strategy, and other matters. Mr. Moor left the meeting at 12:57 p.m. Mr. Keaton left the meeting at 1:15 p.m.

6. Meeting Adjourned at 1:34 p.m.

## 6. Closed Session

Motion to Approve Request for Closed Meeting.

*I move that a closed session be held for discussions regarding the required Federal wetlands permitting and the Army Corps of Engineers' Environmental Impact Statement (EIS) process, which are necessary for proposed expansion at the Regional Landfill, in accordance with Virginia Code Section 2.2-3711(A)(8) for the purpose of consulting with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel.*

Motion to Approve Certification after Closed Meeting.

*The Board hereby certifies that, to the best of each member's knowledge: (i) only public business matters lawfully exempted from open meeting requirements by Virginia law under the Virginia Freedom of Information Act; and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered in the closed meeting just concluded.*

## 7. Quarterly Financial Report

### **Statement of Revenue and Expenses – Budget to Actual Comparison**

For the month ending December 31, 2023, total expenses exceeded total revenue by approximately \$679 thousand as compared to \$505 thousand net revenue in December 2022.

Year to date Tipping fee revenue received through December 2023 reflects an increase of 1.7% or approximately \$464 thousand as compared to the same period in the previous fiscal year.

Total expenses for the month ending December 31, 2023 were approximately \$5.5 million as compared to \$4.2 million incurred in the previous fiscal year. During the month of December 2023, several large payments were processed for Capital Equipment projects.

### **Monthly Expense Line Items**

This report provides the actual expenses by month by the type of expense. The majority of the line items vary in amount from month to month because they are either: (1) dependent on usage, or (2) timing of payment and/or check date.

### **Monthly Comparison of Revenues and Expenses**

This report illustrates the monthly revenues and expenses. An explanation is included under each graph if there is a sizeable variance. The straight line in each graph represents the fiscal year 2024 budget on a straight-lined basis and the line graph represents the prior fiscal year for comparison.

### **Waste Stream Report**

This report has been developed to provide the status of tonnages received as compared to the amounts budgeted. For the month ending December 31, 2023, municipal waste tonnages reflect a decrease of 2.7% or approximately 1,094 tons as compared to December 31, 2022.

### **Treasurer's Report of Cash Balances**

This report captures the monthly activity in each of the depository accounts grouped as either unrestricted and designated funds or trust funds. As of December 31, 2023 cash balances were approximately \$51.2 million representing approximately \$4.2 million in operating funds, \$6.6 million in undesignated fund balance, \$28 thousand for FY 2023 Rolled Purchase Orders, \$2.9 million reserved for the Leachate Evaporation System, \$118 thousand for open Landfill Expansion Purchase Orders, \$21.7 million designated for Landfill Closure and \$15.5 million reserved for Landfill Expansion and Flyover.

**Southeastern Public Service Authority**  
**Statement of Revenue and Expenses - Budget to Actual Comparison**  
**For the Period Ending December 31, 2023**

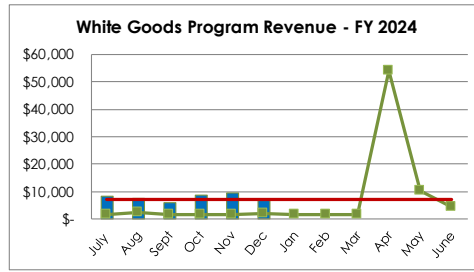
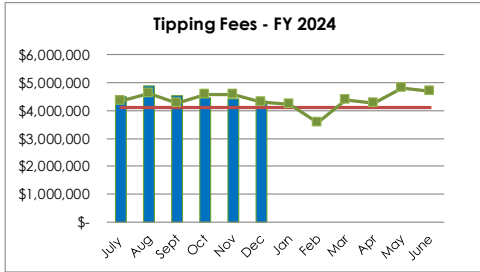
	DECEMBER 2023				DECEMBER 2022			
	Adjusted Budget	Month	FYTD	% of Budget	Adjusted Budget	Month	FYTD	% of Budget
<b>REVENUES</b>								
Tipping Fees	\$ 49,593,237	\$ 4,359,250	\$ 27,179,311	54.8%	\$ 50,145,512	\$ 4,327,484	\$ 26,715,531	53.3%
Tire program	882,000	82,219	553,971	62.8%	770,000	92,752	558,781	72.6%
Household Hazardous Waste Revenue/Ewaste	433,000	25,392	203,416	47.0%	425,000	25,279	232,138	54.6%
White Goods Program	85,000	6,796	47,026	55.3%	60,000	1,783	10,762	17.9%
Landfill Gas Recovery	250,000	-	8,477	3.4%	90,000	5,251	57,304	63.7%
Miscellaneous Income	252,686	10,583	2,543	1.0%	500,000	(24,661)	21,009	4.2%
Interest Earnings	500,000	224,259	642,888	128.6%	258,729	9,325	506,199	195.6%
Fund Balance / Capital / Rolled PO's	8,382,559	18,755	3,178,937	37.9%	24,943,459	168,653	4,051,719	16.2%
Fund Balance / Landfill Expansion	11,437,725	44,995	459,933	4.0%	158,935	114,580	329,559	207.4%
<b>TOTAL REVENUES</b>	<b>\$ 71,816,207</b>	<b>\$ 4,772,249</b>	<b>\$ 32,276,502</b>	<b>44.9%</b>	<b>\$ 77,351,635</b>	<b>\$ 4,720,445</b>	<b>\$ 32,483,002</b>	<b>42.0%</b>
Administration								
Salaries / Wages	\$ 961,350	\$ 119,849	\$ 522,040	54.3%	\$ 909,222	\$ 96,063	\$ 448,286	49.3%
Employee Benefits	235,169	23,565	147,726	62.8%	206,944	16,758	92,256	44.6%
Professional / Contracted Services	618,073	28,936	458,841	74.2%	588,613	26,414	231,471	39.3%
Other Operating Expenses	369,495	47,529	164,108	44.4%	282,157	23,190	134,366	47.6%
Materials / Supplies	39,399	1,203	28,407	72.1%	60,807	2,664	16,980	27.9%
Total Administration	\$ 2,223,486	\$ 221,083	\$ 1,321,122	59.4%	\$ 2,047,743	\$ 165,089	\$ 923,359	45.1%
Environmental Management								
Salaries / Wages	\$ 369,137	\$ 30,294	\$ 163,672	44.3%	\$ 331,367	\$ 32,485	\$ 148,671	44.9%
Employee Benefits	104,953	6,279	51,990	49.5%	120,383	6,838	37,034	30.8%
Professional / Contracted Services	75,272	600	15,006	19.9%	73,508	3,756	24,643	33.5%
Other Operating Expenses	11,289	608	4,118	36.5%	8,201	634	2,988	36.4%
Materials / Supplies	27,824	1,497	11,106	39.9%	24,790	851	9,481	38.2%
Total Environmental Management	\$ 588,475	\$ 39,277	\$ 245,892	41.8%	\$ 558,249	\$ 44,565	\$ 222,817	39.9%
Operations								
Salaries / Wages	\$ 7,170,183	\$ 817,557	\$ 3,495,817	48.8%	\$ 6,272,907	\$ 743,385	\$ 3,415,338	54.4%
Employee Benefits	2,234,986	195,891	1,240,224	55.5%	2,040,988	172,156	954,643	46.8%
Professional / Contracted Services	3,118,427	242,546	1,965,147	63.0%	3,045,904	265,672	1,404,684	46.1%
Other Operating Expenses	1,000,058	56,909	395,507	39.5%	973,666	73,132	419,624	43.1%
Materials / Supplies	2,406,468	171,713	1,145,045	47.6%	2,451,414	144,233	1,153,221	47.0%
Total Operations	\$ 15,930,122	\$ 1,484,616	\$ 8,241,741	51.7%	\$ 14,784,879	\$ 1,398,579	\$ 7,347,510	49.7%
<b>TOTAL OPERATING EXPENSES</b>	<b>\$ 18,742,083</b>	<b>\$ 1,744,977</b>	<b>\$ 9,808,755</b>	<b>52.3%</b>	<b>\$ 17,390,871</b>	<b>\$ 1,608,233</b>	<b>\$ 8,493,686</b>	<b>48.8%</b>
<b>CAPITAL PROJECTS / EQUIPMENT REPLACEMENT</b>								
RLF-CELLS 8/9 PERMITTING	700,476	183,014	481,540	68.7%	-	-	-	-
VDOT- FLYOVER	12,865,572	456,212	810,828	6.3%	-	-	-	-
RLF - DESIGN BUILD PROJECT	344,889	235,582	235,582	68.3%	-	-	-	-
RLF - CAP REDESIGN	117,596	22,862	85,518	73.2%	-	-	-	-
RLF-FUEL ISLAND CONCRETE	16,450	-	20,450	124.3%	-	-	-	-
RLF-FUEL CANOPY	76,812	-	76,812	100.0%	-	-	-	-
RLF-COMPACTOR REFURB	692,000	662,399	662,399	95.9%	-	-	-	-
TSP - ROAD TRACTORS	440,144	-	-	0.0%	-	-	-	-
TSP-MSW TRAILERS	1,582,181	-	-	0.0%	-	-	-	-
TSP -SLUDGE TRAILER	73,000	-	69,930	95.8%	-	-	-	-
TSP -SLUDGE TRAILER	69,930	-	71,030	101.6%	-	-	-	-
FLT-SERVICE TRUCK	125,924	-	67,315	53.5%	-	-	-	-
FLT-PICKUP TRUCK	48,000	-	44,270	92.2%	-	-	-	-
RLF-LEACHATE EVAP SYSTEM	4,899,300	21,905	2,121,605	43.3%	-	-	-	-
ENV-HHW STATION	26,462	-	26,462	100.0%	-	-	-	-
IOW-SCALEHOUSE OFFICE	61,801	-	56,881	92.0%	-	-	-	-
NTS - WHEEL LOADER REBUILD	327,388	-	327,388	100.0%	-	-	-	-
OTS-DROP & HOOK PAVING	97,303	-	-	0.0%	-	-	-	-
ENV - HHW WHEEL LOADER	345,291	-	-	0.0%	-	-	-	-
IT-VEHICLE	38,000	-	26,795	70.5%	-	-	-	-
ROB RECEPTION AREA	12,644	7,667	18,101	143.2%	-	-	-	-
RLF-SHOP ROOF	28,000	28,000	-	0.0%	-	-	-	-
FLT-HOFFMAN TIRE MACHINE	21,950	-	-	0.0%	-	-	-	-
FLT-MOHAWK LIFT SYSTEM	57,424	-	-	0.0%	-	-	-	-
CTS - VOLVO LOADER	454,981	-	454,981	100.0%	-	-	-	-
CTS - SCALE FOUNDATION	-	-	-	0.0%	-	-	-	-
UNDESIGNATED	474,479	-	-	0.0%	-	-	-	-
<b>TOTAL CAPITAL PROJECTS/EQUIPMENT REPLACEMENT</b>	<b>\$ 23,997,997</b>	<b>\$ 1,617,641</b>	<b>\$ 5,774,761</b>	<b>24.1%</b>	<b>\$ 28,322,527</b>	<b>\$ 321,471</b>	<b>\$ 5,191,000</b>	<b>18.3%</b>
<b>OTHER USES</b>								
Contracted Waste Disposal	\$ -	-	\$ -	N/A	\$ 15,372,692	-	\$ -	-
Service Fee to Wheelabrator Addendum 6	9,289,800	1,061,333	6,636,790	71.4%	\$ 7,260,545	-	\$ -	0.0%
Atlantic Waste Disposal	4,420,000	-	50,556	1.1%	\$ 1,000,000	318,644	\$ -	31.9%
Waste Disposal - RDS	2,280,000	68,692	767,762	33.7%	\$ 5,000	-	\$ -	-
Waste Hauling - MBI	5,081,327	292,412	1,826,994	35.9%	\$ 8,000,000	-	\$ -	-
Suffolk Environmental Trust Fund	-	-	-	N/A	-	-	-	N/A
Reserves for Landfill Expansion/Closure	8,000,000	666,667	4,000,000	50.0%	-	666,667	4,000,000	N/A
Virginia Beach Environmental Trust Fund	5,000	-	-	0.0%	-	-	-	N/A
Contingency	-	-	-	N/A	-	-	-	N/A
<b>TOTAL OTHER USES</b>	<b>\$ 29,076,127</b>	<b>\$ 2,089,103</b>	<b>\$ 13,282,102</b>	<b>45.7%</b>	<b>\$ 31,638,237</b>	<b>\$ 2,285,382</b>	<b>\$ 15,493,311</b>	<b>49.0%</b>
<b>GRAND TOTAL EXPENSES</b>	<b>\$ 71,816,207</b>	<b>\$ 5,451,720</b>	<b>\$ 28,865,617</b>	<b>40.2%</b>	<b>\$ 77,351,635</b>	<b>\$ 4,215,086</b>	<b>\$ 29,177,997</b>	<b>37.7%</b>
<b>NET REVENUES / (EXPENSES)</b>	<b>\$ -</b>	<b>\$ (679,471)</b>	<b>\$ 3,410,885</b>		<b>\$ -</b>	<b>\$ 505,359</b>	<b>\$ 3,305,005</b>	

A Budget has been adjusted by \$6,140,952 for purchase orders rolled over from FY 2023

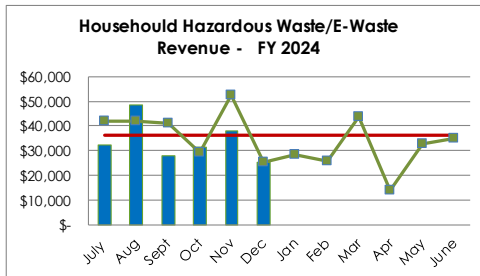
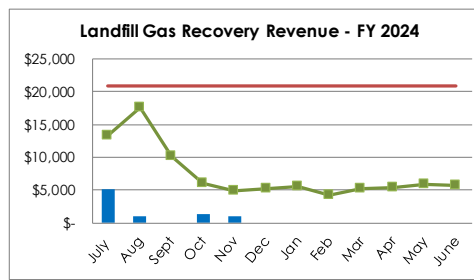
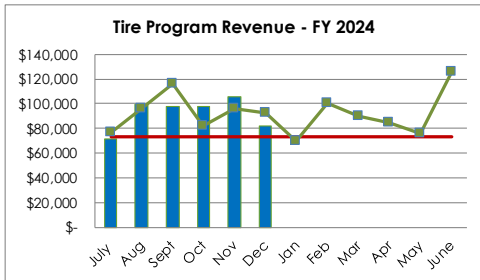


**Southeastern Public Service Authority  
Monthly Comparison of Revenues and Expenses**

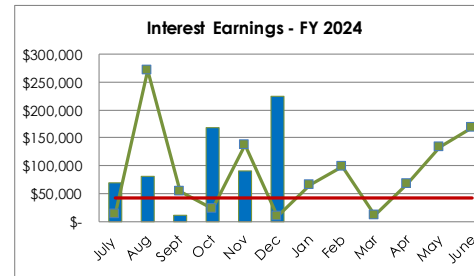
■ FY 2024 (bar)  
■ FY 2023  
— FY 2024 Budget



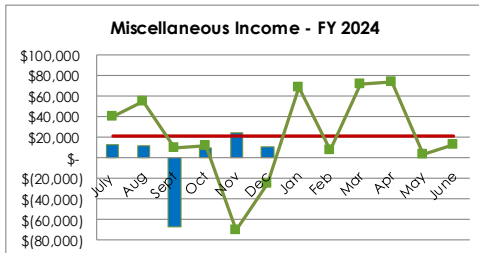
\* Monthly revenue is dependent on users.



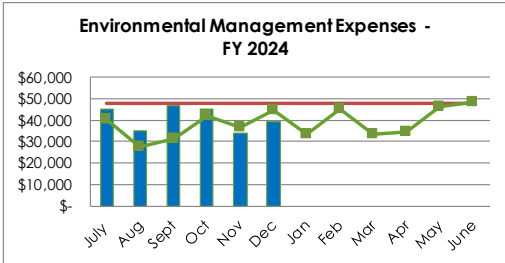
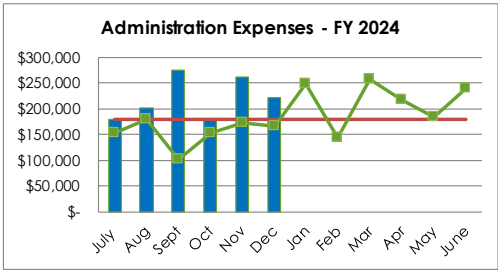
\* Monthly revenue is dependent on users.



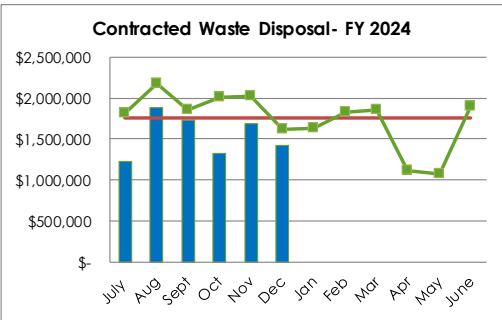
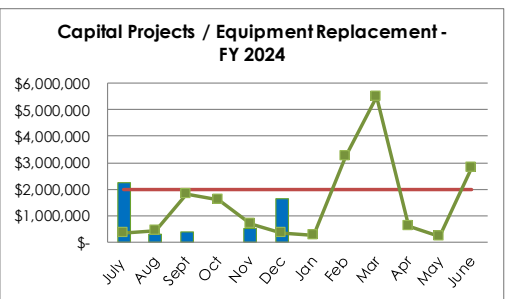
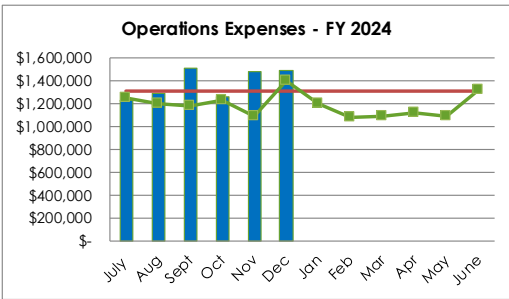
Interest payments vary based on investment date and maturity date.







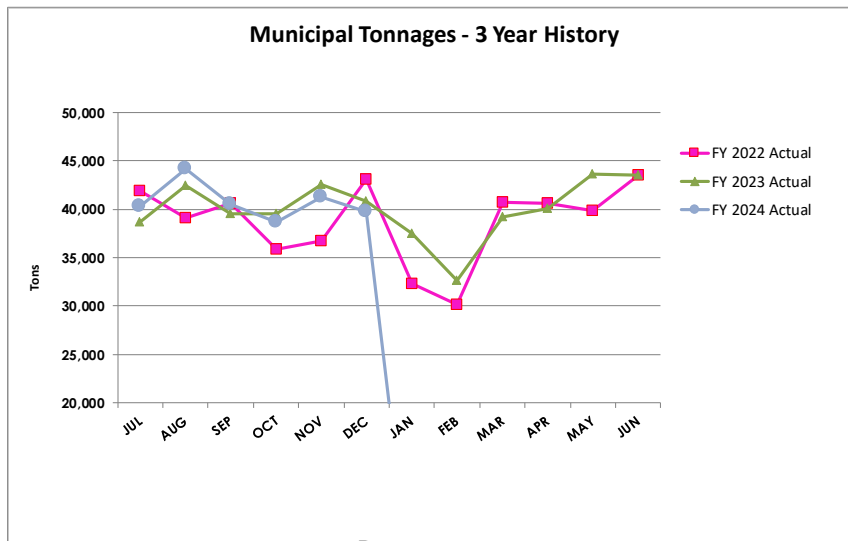
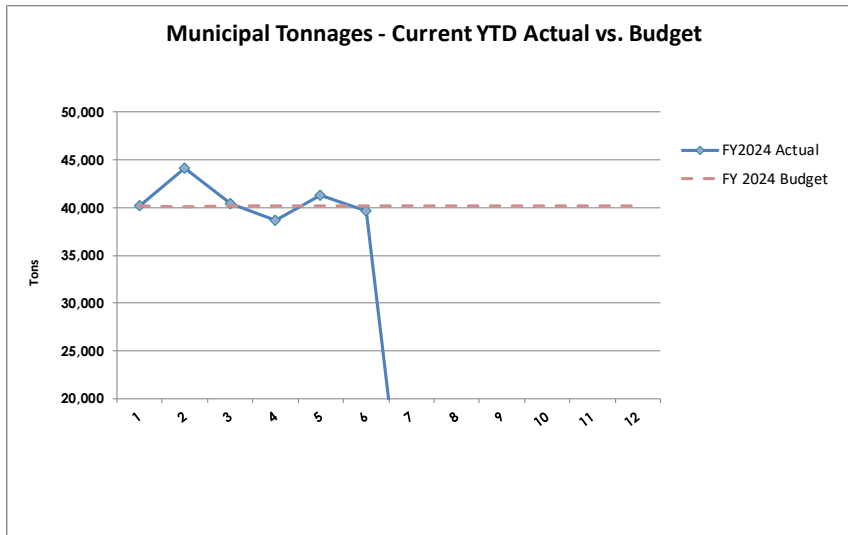
\*Legal fees



**Southeastern Public Service Authority (SPSA)  
Waste Stream**

Waste Category	FY 2021	FY 2022	FY 2023	FY 2024	FY 2024	
	Actual (Tons)	Actual (Tons)	Actual (Tons)	Budget	Actual (Tons) as of 12/31/2023	% of Budget
<b>Waste Stream Budgeted under Tipping Fees</b>						
Municipal Waste						
Chesapeake	114,806	108,633	121,603	110,000	61,439	55.9%
Franklin	3,499	3,952	3,880	3,300	1,884	57.1%
Isle of Wight	17,839	16,561	16,109	18,000	8,225	45.7%
Norfolk	89,209	77,291	77,518	89,000	39,792	44.7%
Portsmouth	46,339	43,584	42,283	42,000	21,547	51.3%
Southampton	10,033	9,972	9,939	10,800	4,858	45.0%
Suffolk	49,639	47,185	46,106	51,200	23,027	45.0%
Virginia Beach	169,097	157,055	162,394	157,550	83,723	53.1%
Residential (Free of Charge)	-	-	-	-	-	-
<b>Total Municipal Waste</b>	<b>500,461</b>	<b>464,233</b>	<b>479,832</b>	<b>481,850</b>	<b>244,495</b>	<b>50.7%</b>
Sludge - Norfolk	4,695	6,352	7,325	5,207	3,593	69.0%
Navy Waste	26,176	23,128	23,915	26,010	12,328	47.4%
SPSA Contracted Waste	134,044	165,485	204,616	140,379	113,117	80.6%
Construction & Demolition Debris	6,514	8,074	8,769	9,370	5,838	62.3%
Non-Contract Waste	46,616	77,909	63,449	59,399	30,337	51.1%
<b>Total Other Waste</b>	<b>218,045</b>	<b>280,948</b>	<b>308,074</b>	<b>240,365</b>	<b>165,213</b>	<b>68.7%</b>
<b>Total Waste Stream</b>	<b>718,506</b>	<b>745,181</b>	<b>787,906</b>	<b>722,215</b>	<b>409,708</b>	<b>56.7%</b>

Note: Effective July 1, 2018 residential waste tons is included with municipal waste tons.



Regional Landfill Waste Stream													
Types of Waste (tons)	Jul-23	Aug-23	Sep-23	Oct-23	Nov-23	Dec-23	Jan-24	Feb-24	Mar-24	Apr-24	May-24	Jun-24	Totals
													FY2024
CDD	998	997	786	1,203	1,023	831							5,888
Sludge - Norfolk	524	800	579	632	550	509							3,593
Sludge - Suffolk	0	0	0	0	0	0							0
Industrial Waste	6	0	3	9	0	11							30
Fines C&D	0	0	0	0	0	0							0
Soils	486	386	701	663	1,174	741							4,151
Brick & Block	0	0	0	0	0	0							0
Clean Fill	951	1,090	693	1,676	647	2,072							7,129
Peanut Dust/Peanut Hulls	15	66	196	164	133	201							774
Municipal Solid Waste <sup>1</sup>	0	0	0	0	0	0							0
Suffolk Municipal NP Solid Waste	33	39	29	34	23	25							182
Southampton Cty Municipal NP Solid Waste	0	0	0	0	0	0							0
Chesapeake Municipal NP Solid Waste	0	0	0	0	0	0							0
Portsmouth Municipal NP Solid Waste	10	7	4	18	33	50							122
Virginia Beach Municipal NP Solid Waste	0	0	0	0	0	0							0
Norfolk Municipal NP Solid Waste	0	0	0	0	0	0							0
NP from Municipal HHW Users	55	60	71	66	49	51							352
Navy Waste <sup>1</sup>	63	55	36	54	27	9							245
Contract Processable Waste	55	192	172	254	183	128							983
Non-Processable Commercial Waste <sup>2</sup>	455	495	386	542	524	575							2,976
Non Contract/Non Municipal	6	8	25	17	1	5							62
Concrete/Asphalt	0	0	0	10	0	0							10
Shredded Tires	425	1,382	585	902	793	627							4,713
Ash	6,928	7,857	10,581	8,264	4,652	6,350							44,632
Non-Qualifying Ash	708	831	869	1,448	678	1,234							5,769
Cell V Slope	0	0	0	0	0	0							0
MSW from Tsf Stations (west)	6,534	7,003	6,372	6,057	6,736	5,994							38,696
Clean Fill - Clearfield (1.35 factor)	3,194	-	4,328	1,588	4,536	3,591	0	0	0	0	0	0	17,237
Clearfield Residual (1.35 factor)	0	0	95	95	57	151	0	0	0	0	0	0	398
Residual from RDS	0	0	0	0	0	149							149
Non-Processable Waste (from RDF)	0	0	0	0	0	0							0
Diverted Processable Waste (from RDF)	0	0	0	0	0	0							0
Diverted Processable Waste (from Tsf stations)	20,346	21,533	21,444	19,779	12,381	13,741							109,223
Total	41,791	42,800	47,954	43,475	34,200	37,045	-	-	-	-	-	-	247,265

<sup>1</sup> Represents CDD from Suffolk Contractors

<sup>2</sup> Boats, Flour, Frozen Foods, Other items too large for Suffolk Transfer Station, SW Unacceptable at Tsf Stations, Scrap Tires

**Southeastern Public Service Authority  
Treasurer's Report of Cash Balances  
For the Month Ending December 31, 2023**

Fund Type	Beginning Balance	Deposits / Transfers In	Interest Earnings	Payables / Transfers Out	Payroll	Ending Balance
<b>Unrestricted and Designated Funds (see footnote below):</b>						
Townebank Operating	\$ 2,846,445.88	\$ 6,981,427.61	\$ -	\$ 7,257,935.95	\$ 993,654.30	\$ 1,576,283.24
Townebank Money Market	764.20	-	-	-	-	764.20
Townebank CD	3,238,733.83	-	-	-	-	3,238,733.83
Virginia Investment Pool (VIP)	10,887,813.10	2,750,000.00	59,776.56	1,900,000.00	-	11,797,589.66
Virginia Investment Pool (1-3)	1,003,039.32	-	3,209.73	-	-	1,006,249.05
Raymond James & Associates Investments	39,263,641.32	1,000,000.00	-	2,000,000.00	-	38,263,641.32
<b>Total Unrestricted and Designated Funds</b>	<b>\$ 52,555,744.74</b>	<b>\$ 10,731,427.61</b>	<b>\$ 62,986.29</b>	<b>\$ 11,157,935.95</b>	<b>\$ 993,654.30</b>	<b>\$ 51,198,568.39</b>
<b>Trust Funds:</b>						
Environmental / Va. Beach Landfill	\$ 497,850.93	-	2,213.25	-	-	500,064.18
Environmental / Regional Landfill	\$ 509,599.68	-	2,261.62	-	-	511,861.30
<b>Total Trust Funds</b>	<b>\$ 1,007,450.61</b>	<b>\$ -</b>	<b>\$ 4,474.87</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 1,011,925.48</b>
<b>GRAND TOTAL</b>	<b>\$ 53,563,195.35</b>	<b>\$ 10,731,427.61</b>	<b>\$ 67,461.16</b>	<b>\$ 11,157,935.95</b>	<b>\$ 993,654.30</b>	<b>\$ 52,210,493.87</b>
<b>Cash Balances Designated as follows:</b>						
Operating Funds	\$ 4,238,201					
Undesignated (Fund Balance June 30, 2023)	\$ 6,563,000					
Reserved for FY 2023 Rolled Purchase Orders	\$ 28,287					
Reserved for FY 2023 Rolled Capital POs	\$ 97,544					
Reserved for Leachate Evaporation System	\$ 2,911,950					
Purchase Orders for Landfill Expansion (Rolled)	\$ 118,279					
Reserve for Landfill Closure (as of June 30, 2023)	\$ 21,762,349					
Reserve for Landfill Expansion and Flyover	\$ 15,478,958					
Total Designated Funds	\$ 51,198,568					

(equivalent to 2 months operating expenses)

**Southeastern Public Service Authority  
Budget Transfer Activity  
For the Month Ending December 31, 2023**

Department	Object	Description	Transfer In	Transfer Out
Landfill	53410	Building/Site Maintenance	\$ 10,000.00	
Landfill	55150	Leachate Treatment		\$ 10,000.00
Chesapeake TS	56220	Vehicle/Equipment Tires	\$ 600.00	
Chesapeake TS	53410	Building/Site Maintenance		\$ 600.00
Oceana TS	56220	Vehicle/Equipment Tires	\$ 600.00	
Oceana TS	53410	Building/Site Maintenance		\$ 600.00
Capital	62416	Automatic External Defibrillators	\$ 25,830.35	
Capital	62999	Undesignated		\$ 25,830.35
RLF Shop	56140	Other Operating Supplies	\$ 1,000.00	
RLF Shop	56220	Vehicle/Equipment Tires		\$ 1,000.00
Capital	62327	ROB-Reception Area Remodel	\$ 9,000.00	
Capital	62999	Undesignated		\$ 9,000.00
Landfill	53420	Leachate Pumping Station Maint	\$ 15,000.00	
Landfill	55150	Leachate Treatment		\$ 15,000.00
Isle of Wight TS	53402	Equipment Maint-Scale	\$ 4,045.16	
Isle of Wight TS	53410	Building/Site Maintenance		\$ 4,045.16
Total			\$ 66,075.51	\$ 66,075.51

## 8. Contracts

### Professional Engineering Services

In 2021 a Request for Proposals was issued for Professional Engineering Services. It was determined that both HDR Engineering and SCS Engineers had provided excellent proposals and each could add value in specific areas. The language in the RFP allowed SPSA to award a contract to one or more firms if in the best interest of SPSA and the Board elected to do so. Throughout 2023 SPSA has gradually phased out working with HDR Engineering due to cost and quality of work concerns. Staff remain satisfied with the work being done by SCS Engineers.

Staff recommend awarding a renewal contract to SCS Engineers for Landfill Gas Monitoring and Reporting, General Engineering, Permitting and Landfill Design, Groundwater Monitoring and General Engineering. The recommended contract award is an estimate based on the attached fee schedule for costs associated with the various types of services to be rendered under the contract.

Projects may include the evaluation, programming and design of public facilities; professional services associated in evaluation, repair and/or rehabilitation of structural, electrical and mechanical systems; professional services associated with landfills and landfill gas; professional services associated with emergencies and natural disasters, environmental and regulatory compliance, regulatory issues; professional services associated with site plans, engineering, surveying, environmental, geotechnical, construction management and inspection services necessary to perform various types of capital improvement projects; coordinating temperature issues on Cell V; handling review of groundwater data and permit coordination; Title V - Air Permit coordination; review of stormwater data and VPDES permit coordination; any waste permitting issues to include coordination with our contract lab on required sampling; and any additional on call type matters that may arise requiring professional engineering services.

Bid: RFP 01-22  
Option: 2 of 4 option years

Budgeted: \$248,000

**RECOMMENDATION:** Authorize the Executive Director to award a renewal contract to SCS Engineers for Professional Engineering Services, as presented.

**MOTION:** Do I hear a motion to authorize the Executive Director to award a renewal contract to SCS Engineers for Professional Engineering Services, as presented?

**FEE SCHEDULE**

**January 1, 2023~~4~~**

**Rate/Hour**

Principal .....	\$ <del>2560</del>
Project Director II.....	\$ <del>2450</del>
Project Director I.....	\$ <del>2125</del>
Senior Project Advisor .....	\$ <del>195205</del>
Project Manager II .....	\$ <del>1895</del>
Project Manager I .....	\$ <del>1780</del>
Project Advisor .....	\$ <del>1670</del>
Project Superintendent .....	\$ <del>1560</del>
Senior Project Professional II .....	\$ <del>1565</del>
Senior Project Professional I.....	\$ <del>1450</del>
Project Coordinator.....	\$ <del>13540</del>
Designer.....	\$ <del>12530</del>
Project Professional II .....	\$ <del>1305</del>
Project Professional I .....	\$ <del>1205</del>
Staff Professional II.....	\$ <del>11520</del>
Staff Professional I.....	\$ <del>10510</del>
Senior Technician.....	\$ <del>1005</del>
Associate Staff Professional-II .....	\$ <del>10510</del>
Associate Staff Professional I.....	\$ <del>95100</del>
Technician.....	\$ <del>805</del>
Administrative .....	\$ <del>6570</del>

**General Terms:**

1. The hourly rates are effective through December 31, 2023~~4~~. Work performed thereafter is subject to a new Fee Schedule.
2. The above rates include salary, overhead, administration, and profit. Costs for outside consultants, laboratory and subcontractors and for job related travel (current automobile mileage rate is \$~~0.58567~~ per mile, or current IRS rate) and subsistence, computer and administration fee (\$~~46.00~~ per billable hour for non-field work), equipment, supplies, etc., are billed at actual cost plus 15 percent.
3. Charges for equipment usage will be invoiced in accordance with SCS' Equipment Rates schedule, plus 15 percent.
4. Invoices will be prepared monthly for work in progress, unless otherwise agreed. Invoices are due and payable upon receipt. Invoices not paid within 30 days are subject to a service charge of 1.5 percent per month on the unpaid balance.
5. Payment of SCS invoices for services performed will not be contingent upon the client's receipt of payment from other parties, unless otherwise agreed to in writing. Client agrees to pay legal costs, including attorney's fees incurred by SCS in collecting any amounts past due and owing on client's account.
6. Rates for Senior Executives and Principals of the firm and special situations, such as litigation support and expert testimony, are negotiated on a project-specific basis.



## Update to General Legal Services Engagement Letter

Since the Authority's inception, Wilcox & Savage, P.C. has served as general outside counsel for SPSA. Upon the retirement of Mr. Warren Tisdale on December 31, 2019, Mr. Brett Spain of Wilcox & Savage, has served as primary point of contact at a rate of \$350 per hour. At the time of his retirement Mr. Tisdale's rate was \$400 per hour. In the past four years, Mr. Spain's rates have not increased. He has provided reliable, efficient, effective counsel particularly in light of the unprecedented number of legal concerns SPSA has faced and continues to address. Mr. Spain shows particular skill in bringing parties together and managing complex matters with many moving parts.

Staff recommends agreeing to increase Mr. Spain's hourly rate of compensation to \$375 per hour.

Procurement: Legal Services are Exempt from Competitive Procurement under Virginia Procurement Law

Budgeted: \$225,000 for Legal Services in FY 2024

RECOMMENDATION: Authorize the Executive Director to execute the updated Engagement letter with Wilcox Savage for Mr. Spain's services as General Counsel.

MOTION: Do I hear a motion to authorize the Executive Director to execute the engagement letter, as presented?



Brett A. Spain  
(757) 628-5534  
bspain@wilsav.com

83720.000

January 15, 2024

Mr. Dennis Bagley  
Executive Director  
Southeastern Public Service Authority  
723 Woodlake Drive  
Chesapeake, Virginia 23320

Re: Engagement Terms

Dear Dennis:

Willcox & Savage, P.C. has been pleased to serve as general outside counsel to the Southeastern Public Service Authority of Virginia (“SPSA”) since its inception. At your request, we are providing this letter and the Standard Terms of Representation attached as Exhibit A to memorialize the terms on which our firm will continue to provide legal services to SPSA.

SPSA will be our client. You, or any successor Executive Director, will be the primary point of contact at SPSA, and I will be the primary contact at my firm.

We will represent SPSA with respect to matters referred to us. To date, this has included, among other things, advising SPSA on environmental laws and regulations, assisting with appointment of board members by the Governor, interpretation of enabling legislation and applicable statutes, assistance with bylaws and governance matters, preparation for and participation in public meetings of committees and the SPSA Board, drafting and negotiating contracts with vendors, service providers and member localities, advice on public procurement and Conflict of Interest Act issues, responding to Freedom of Information Act requests, assisting with the drafting of requests for proposals and subsequent negotiations, and advice on employment matters.

Under our engagement, SPSA is responsible to pay our fees for services and to reimburse us for all costs and expenses incurred in connection with our representation. The basis for computing our fees will be the amount of time spent on the matter by various lawyers and legal assistants multiplied by their individual hourly billing rates. Currently, our hourly billing rates for lawyers range from \$270 per hour for new associates to \$625 per hour for very senior partners. My rate for the 2024 calendar year for services to SPSA is \$375. Other timekeepers in specialized areas may work on matters for SPSA from time to time as

Reply to Norfolk Office

Mr. Dennis Bagley  
January 15, 2024  
Page 2

necessary. If other timekeepers perform work for SPSA, their time will be billed at a ten percent discount off of their standard rates. These rates will remain in effect through the end of 2024. To the extent that we anticipate the significant involvement of other timekeepers, we will advise you.

We endeavor to perform the work in an efficient and cost-effective manner. Additional information regarding fees, costs and expenses, conflicts of interest, and other important matters appears in the attached Standard Terms of Representation.

This engagement is terminable at will by SPSA, and also is terminable at will by us, although our right is limited by applicable rules of professional conduct, all as described under Termination in the attached Standard Terms of Representation. In addition to and not in derogation of its right to terminate, SPSA may evaluate formally the services we provide once each year, producing a written report to be presented to the Board at its annual meeting, so that the Board can review the report and decide what, if any, action it desires to take with regard to continuation of this engagement. Prior to preparing the written report, SPSA may schedule up to two meetings with the Executive Committee of the Board (or another designated committee) and us to discuss any concerns or problems. We will be entitled to review the written report at least one week prior to its presentation to the Board so that we can be prepared to address any concerns or questions raised by the Board. Either party may waive its rights with regard to an annual evaluation and the associated written report, without waiving its rights regarding the evaluation and report in the future.

Please countersign this letter and return a copy to me to confirm that the terms of our engagement, set forth herein and in the Standard Terms of Representation, continue to be acceptable.

Very truly yours,



Brett A. Spain

BAS:ceb

Mr. Dennis Bagley  
January 15, 2024  
Page 3

AGREED AND ACCEPTED:

SOUTHEASTERN PUBLIC SERVICE  
AUTHORITY OF VIRGINIA

By: \_\_\_\_\_  
Dennis Bagley,  
Executive Director

Date: \_\_\_\_\_

## **Exhibit A**

### **Willcox & Savage, P.C.**

#### **Standard Terms of Representation**

This document sets forth the standard terms related to the engagement of Willcox & Savage, P.C. (the "Firm") by the Southeastern Public Service Authority of Virginia ("Client"). Unless modified in writing by mutual agreement, these terms will be an integral part of our agreement. Therefore, we ask that this document be reviewed carefully and that we be contacted promptly if there are any questions.

#### **The Scope of Our Work**

We will provide legal services with respect to matters that Client refers to us. Our representation does not include representation of Client in any other matter. We are providing strictly legal services in connection with this engagement. Client is not relying on us for, and we are not providing, any business, investment, insurance, or accounting advice.

The entity that we represent is the entity that is identified as the Client in our engagement letter and does not include any affiliates of such entity (*i.e.*, the engagement would not be with any employees, officers, directors, or member localities of the Client, or the member localities' employees, officers or directors). Accordingly, for conflict of interest purposes, it is agreed that we may represent another client with interests adverse to any such affiliate without obtaining consent from Client. Similarly, we may freely represent such affiliate in connection with matters not involving SPSA, without the consent of SPSA.

#### **Who Will Provide the Legal Services**

Customarily, each client of the firm is served by a principal lawyer contact. Subject to the supervisory role of the principal lawyer, Client's work or parts of it may be performed by other lawyers and legal assistants in the firm. Such delegation will be with the approval of the Client and will be for the purpose of involving lawyers or legal assistants with special expertise in a given area or for the purpose of providing services on the most efficient and timely basis.

#### **Client Responsibilities**

Client agrees to pay our statements for services and expenses as provided below. In addition, Client agrees to be candid and cooperative with us and will keep us informed with complete and accurate factual information, documents and other communications relevant to the subject matter of our representation or otherwise reasonably requested by us. If Client affiliates with, acquires, is acquired by, or merges with another entity, we will be provided with sufficient notice to permit us to withdraw as Client's lawyer if we determine that such affiliation, acquisition, or merger creates a conflict of interest between any of our Clients and the other party to such affiliation, acquisition, or merger.

### **Advice About Possible Outcomes**

Either at the commencement or during the course of our representation, we may express opinions or beliefs concerning various courses of action that might be taken and/or the results that might be anticipated. Any such statement made by any lawyer of our firm is intended to be an expression of opinion only, based on information available to us at the time, and should not be construed as a promise or guarantee.

### **How Fees Will Be Set**

The basis for computing our fees for the legal services we provide will be the amount of time spent on the matter by various lawyers and legal assistants multiplied by their individual hourly billing rates for this engagement.

The hourly rates of our lawyers and legal assistants are adjusted annually to reflect current levels of legal experience, changes in overhead costs, and other factors. We will keep records of the time we devote to Client's work, including conferences (both in person and over the telephone), negotiations, factual and legal research and analysis, document preparation and revision, travel on Client's behalf, and other related matters. We record our time in units of tenths of an hour.

The fees and costs necessary to perform the work referred to us are not predictable. Any estimate of fees and costs that we may provide you from time to time, including, without limitation, any estimate that we provide Client to facilitate Client's creation of a fiscal year budget, is only an estimate and not a commitment to a fixed price or cap.

### **Additional Charges**

In addition to our legal fees, we will charge for costs and expenses that we incur in the course of representation. Examples include such matters as long-distance telephone charges, special postage, delivery charges, photocopy charges and related expenses, travel expenses, and use of other service providers, such as printers or experts. In litigation matters, such expenses also may include filing fees, deposition costs, process servers, court reporters, and witness fees. We separately bill for computerized legal research and related expenses. Except for specialized word processing services, we normally do not make a separate charge for secretarial work unless there is a situation that requires overtime staff work.

While our charges for these services are measured by use, they may not, in all instances, reflect our exact out-of-pocket costs. For many of these items, the precise cost of providing the service is difficult to establish. We would be pleased to discuss the specific schedule of charges for these additional services and to answer any questions that may arise.

### **Billing Arrangements and Terms of Payment**

We will bill on a monthly basis, for both fees and disbursements recorded on our books during the previous month. Client agrees to make payments within 30 days of receiving our statement.

If there is a delinquency and satisfactory payment terms are not arranged, we also may withdraw from the representation and pursue collection of the account. Client agrees to pay the costs of collecting the debt, including court costs, filing fees, and actual attorney's fees, plus a late charge of 5% of the delinquent balance. We also reserve the right to charge interest on delinquent accounts at the rate of 12% per annum. (For clarification, no interest will be charged on amounts outstanding as of the date of our engagement letter.)

### **Responses to Auditors' Inquiries**

We are frequently asked to provide information to auditing firms regarding legal matters of our clients. We respond to those inquiries with the same level of care and professionalism that we use to handle Client's other legal work and will charge for these services at our customary hourly rates. When an auditing firm requests information on Client's behalf, that request will be deemed to be Client's request for us to disclose that information to that firm.

### **Termination**

Client may terminate our services and representation at any time upon written notice to us. Such termination shall not, however, relieve Client of the obligation to pay for all services already rendered, including work in progress and remaining incomplete at the time of termination, and to pay for all expenses incurred on Client's behalf through the date of termination.

We reserve the right to withdraw from our representation as required or permitted by the applicable rules of professional conduct upon written notice to Client. In the event that we terminate the engagement, we will take such steps as are reasonably practicable to protect Client's interests in the specified matter, and Client agrees to take all steps necessary to free us of any obligation to perform further, including the execution of any documents necessary to perfect our withdrawal. Client agrees to pay us for all services rendered and costs or expenses incurred on Client's behalf through the date of withdrawal.

Unless previously terminated, our representation in the specified matters will terminate upon our sending our final statement for services rendered.

### **Conclusion of Representation; Retention and Disposition of Documents**

Following termination of our services, if Client so requests, all original, Client-furnished documents, legal instruments, official documents (corporate minutes, etc.), and copies of other documents prepared or collected for Client during the course of the representation will be returned to Client within a reasonable time. Otherwise, the Firm will retain those documents.

The Firm will retain its own records pertaining to the matter. All materials retained by the Firm will be transferred to the person responsible for administering our records retention program. For various reasons, including the minimization of storage expenses, we reserve the right to destroy or otherwise dispose of any materials retained by us within a reasonable time after the termination of the engagement.

After the conclusion of our representation, changes may occur in the applicable laws or regulations that could have an impact upon Client's future rights and liabilities. The Firm has no continuing obligation to advise Client with respect to future legal developments.

## **9. WIN Waste Innovations – Portsmouth Monthly Report (written only)**

January 15, 2024

Dennis Bagley  
Southeastern Public Service Authority  
723 Woodlake Drive  
Chesapeake, VA 23320

Dear Mr. Bagley:

Please find attached the Monthly Report for WIN Waste Innovations facility required by Schedule 15 of the Service Agreement. Should you have any questions on any of the items covered herein please do not hesitate to contact me.

Sincerely,

Clint Stratton  
Plant Manager, WIN Waste Innovations

enclosure



**WIN Waste Innovations  
TONNAGES REPORT  
CALENDAR YEAR 2023**

MONTH	SPSA ACCEPTABLE WASTE (SPSA report)				TOTAL TONNAGE (TRUX report)		RESIDUE DELIVERED TO LANDFILL (TONS)						MW SOLD TO THE GRID (MWHr)
	THIRD PARTY ACCEPTABLE WASTE (TONS)	OUT-OF-STATE WASTE (TONS) *	OUTSIDE-AREA WASTE (TONS)	ALL WASTE ACCEPTED AT RDF (TONS)	NAVY STEAM DELIVERED (K-LBS)	NP REMOVED FROM RDF (TONS)	PROHIBITED WASTE	PROCESSED FORMULA	RESIDUE DELIVERED TO LANDFILL (TONS)	RESIDUE DELIVERED TO LANDFILL (TONS)	RESIDUE DELIVERED TO LANDFILL (TONS)		
JAN	28,107.19	1,171.76	9.36	29,288.31	51,518	4,140.78	-	26,406.15	10,593.86	10,593.86	3,202		
FEB	31,320.87	2,694.78	-	34,015.65	53,801	4,609.83	-	26,146.82	6,034.25	6,034.25	4,827		
MAR	33,316.60	1,265.59	40.64	34,622.83	79,863	3,413.21	-	28,378.47	12,957.81	12,957.81	3,788		
APR	31,910.69	301.26	28.92	32,240.87	69,144	2,934.02	-	29,728.51	8,702.69	8,702.69	5,996		
MAY	30,831.58	72.01	42.03	30,182.64	64,858	5,875.97	-	25,319.57	12,337.87	12,337.87	4,819		
JUN	30,742.43	21.64	86.15	30,551.59	66,741	3,264.76	-	25,437.43	12,103.98	12,103.98	4,163		
JUL	29,832.18	12.51	32.73	29,697.02	67,686	4,187.69	-	26,040.25	7,635.21	7,635.21	3,846		
AUG	34,570.32	66.90	4.15	33,580.53	68,208	4,992.17	-	27,256.44	8,688.66	8,688.66	4,795		
SEP	31,936.29	50.27	-	32,524.46	64,217	4,828.39	-	27,182.83	11,449.79	11,449.79	4,229		
OCT	28,957.91	257.01	6.34	29,538.00	66,718	5,137.11	-	25,343.13	9,712.71	9,712.71	4,447		
NOV	30,747.45	50.37	43.81	29,665.81	80,004	3,708.96	-	22,498.49	5,330.13	5,330.13	2,985		
DEC	29,704.24	6.91	58.11	28,502.48	95,055	3,347.60	-	26,763.69	7,584.12	7,584.12	2,753		
YTD TOTAL	371,977.75	5,971.01	352.24	374,410.19	827,813.00	50,440.49	-	316,501.78	113,131.08	113,131.08	49,850.00		

\* NOTE: This is material brought in from the nearby counties in NC provided for under the Service Agreement.

**WIN Waste Innovations  
AVAILABILITY  
CALENDAR YEAR 2023**

MONTH	BOILER AVAILABILITY (%)	BOILER PLANNED OUTAGES (HRS)	BOILER UNPLANNED OUTAGES (HRS)	TURBINE AVAILABILITY	TURBINE PLANNED OUTAGES (HRS)	TURBINE UNPLANNED OUTAGES (HRS)
JAN	98.5%	0	46	100%	0	0
FEB	92.0%	204	12	100.0%	0	0
MAR	86.4%	141	263	100.0%	0	0
APR	98.7%	0	37	100.0%	0	0
MAY	97.6%	0	71	100.0%	0	0
JUN	98.4%	0	47	100.0%	0	0
JUL	97.3%	0	80	98.3%	0	37
AUG	99.5%	0	15	100.0%	0	0
SEP	98.2%	0	51	100.0%	0	0
OCT	96.4%	0	106	100.0%	0	0
NOV	94.4%	0	162	100.0%	0	0
DEC	96.5%	0	105	100.0%	0	0
<b>YTD TOTAL</b>	<b>96.2%</b>	<b>345.00</b>	<b>995.00</b>	<b>99.9%</b>	<b>-</b>	<b>37.00</b>

**WIN Waste Innovations**  
**SUPPLEMENTAL INFORMATION**  
**December 2023**

Total Waste received by SPSA:	29,704 tons
Waste delivered to RDF:	28,502 tons
Total RDF processed:	26,764 tons
Residue sent to landfill:	7,584 tons*
Electric power sold:	2,753 MW
Steam sold to Navy:	95,055 K-LBS
Overall Boiler availability:	96.5%
Overall Generator availability:	100.0%
Environmental Incidents	0

OSHA Recordable Accidents this period:	0
OSHA Recordable Accidents YTD:	1

**General Notes:**

\* 83.73% of ash sent to the RLF this period was accepted as ADC.

Continuing to truck shredded material between RDF and SPP to maintain plant operations.

## WIN Waste Innovations

### Monthly Report for the Month of December 2023

This report is submitted in accordance with the Waste Disposal & Services Agreement, section 3.17.1.

#### Environmental Issues:

Contractor has not received any notices in violation (NOVs) or orders, and no such NOVs, proceedings, orders or investigations are pending, for the subject period.

#### Tests Completed:

Monthly Industrial Discharge Samples  
Fuel Oil Sample  
Storm water Sample(s)  
Quarterly Ash Test

#### Tests Planned:

Monthly Industrial Discharge Samples  
Fuel Oil Sample  
Storm Water Sample  
Quarterly GHG Test  
Quarterly Ash Test

#### Inspections:

None

#### Air Quality Violations:

None

#### Safety Issues:


OSHA Recordable Accidents this period:	0
OSHA Recordable Accidents YTD:	1
Lost Time Accidents this period:	0
Lost Time Accidents YTD:	0

#### Op Stats: See attached spreadsheet

#### Upcoming Planned Outages:

##### 2023 Outages

January	No outage
February 20-27	Boiler 4
March 13-21	Boiler 1
April	No outage
May	No outage
June	Boiler 2
July	Boiler 3
August	Boiler 4
September	Boiler 1
October	Boiler 2
November	Boiler 1
December	Boiler 3

<b>WIN Waste Innovations RDF and WTE Operational Summary</b>		<b>KEY:</b>		 <b>PERFORMANCE FOR THE PLANET</b>
Provided by WIN Waste Innovations		Change Since Last Report		
December 1 - December 31, 2023		All Is Well		
		Working On		
		Noted Issue		

Item	Metric Item	Metric	Performance	Status	Comments
<b>1</b>	<b>Regulatory Compliance</b>				
1.1	Notice of Violations	Compliance	In Compliance		No issues during reporting period
1.2	VPDES	Compliance	In Compliance		No issues during reporting period
1.2.1	Solid waste operations	Compliance	In Compliance		No issues during reporting period
1.2.2	Title V	Compliance	In Compliance		No issues during reporting period
<b>2</b>	<b>RDF Tipping Floor Operations</b>				
2.1	Wait Times	<30 min			
2.2	Floor Volume	<1,500 Tons			Floor volumes remaining manageable
2.3	Equipment Utilization	Key equipment fully operational and deployed			B processing line OOC at this time
<b>3</b>	<b>Ash</b>				
3.1	Ash Delivered to RLF	Actual Tons	7,584		
3.2	Percentage of Ash Re-classified	<20%	1,234		Reclassified was 16.27%
3.3	Percentage of Ash used as ADC	> 80%	6,350		ADC was 83.73%.
3.4	Rejected Loads of Ash	0	0		
<b>4</b>	<b>WTE</b>				
4.1	Boiler Availability	> 90%	96.5%		
4.2	TG Availability	> 90%	100%		
4.3	Ash Screener Availability	> 95 %	95%		
<b>5</b>	<b>Cleanliness/Litter Control</b>				
5.1	Citizen Complaints	0			
5.2	Odor Complaints	0			No issues during reporting period

**Acronym Definitions**

**RDF** - Refuse Derived Fuel, **WTE** - Waste To Energy, **VPDES** - Virginia Pollution Discharge Elimination System, **ADC** - Alternative Daily Cover, **TG** - Turbine Generator

**10. Draft Request for Proposals on MSW Disposal Services Presentation**

Mr. Bob Gardener of SCS Engineers will make a presentation on the prepared draft RFP for Municipal Solid Waste Disposal Services and receive additional feedback from the Board of Directors on form and content before its publication.

**11. Other Business**

**12. Adjourn**