

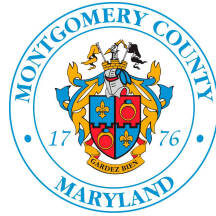
NATALI FANI-GONZÁLEZ

Council President

100 Maryland Ave
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CHAIR
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MONTGOMERY COUNTY COUNCIL

ROCKVILLE, MARYLAND

June 11, 2026

County Executive Elrich,

During the Council's recent review of the FY27 Operating Budget, the Council voted to support the continued operation of the County's Resource Recovery Facility (RRF) during FY27 pending further discussion this fall of long-term disposal options. A decision on this matter is of great significance to our residents and businesses and deserves greater attention than could have been given during the Council's budget review process. Moreover, the Council has not received all the information it needs regarding your recommendation to close the Resource Recovery Facility as well as alternative waste disposal options. In January, I sent you a letter requesting additional information about solid waste disposal options. While you provided a written response to this letter in early March, many of the information requests noted in the letter remain unanswered.

I have asked Council Staff to brief the Council on July 28th on the issue and plan to hold Council worksessions this fall to review your recommendations as well as alternatives. To facilitate that review, I request that the Department of Environmental Protection (DEP) provide the Council with detailed and neutral data and analysis of different waste disposal options. While you have been clear in your preference to close the Resource Recovery Facility as soon as possible; your administration has not submitted to the Council nor provided the public with a complete and disinterested analysis of all options.

For the Council to approve the closure of the RRF, we must be convinced that this action is preferable to alternative waste disposal options based on a thorough assessment of environmental, fiscal, operational, racial equity, and community impact considerations. As such, I have asked Council staff to identify a set of options that span the range of waste disposal possibilities. Council staff developed the following four options:

- Close RRF As Soon as Possible
- Option 1**
 - Long-Haul of Waste by Truck to Out-of-County Landfills
 - Eventual Advanced Waste Processing with Long-Haul of Remaining Waste
- Option 2**
 - Close RRF As Soon as Possible
 - Long-Term Landfilling of Waste
- Option 3**
 - Continued Interim Use of RRF
 - Transition to Advanced Waste Processing with Long-Haul of Remaining Waste and Closure of the RRF
- Option 4**
 - Continued Long-Term Use of RRF

While variations on these options certainly exist, this finite set of four waste disposal options provides a framework to weigh the relative advantages and disadvantages of different solid waste system designs. Further, the Council and the community should have the opportunity to evaluate how these options interact with other elements of the County’s solid waste management system including waste reduction, recycling, composting, waste collection, and system financing.

I have further directed Council staff to identify specific data points, estimates, and assumptions needed to fully evaluate each solid waste disposal option. Council staff will forward a template for DEP to project future year waste generation and composition as well as waste disposition tonnages, estimated system operational and capital costs, and projected fees and charges for each of the four options. In addition, Council staff has compiled the attached list of questions to clarify aspects of your recommendation to close the RRF. The Council cannot make an informed decision about the future structure of the County’s solid waste system without responses to these questions.

Whatever outcome the Council supports, that decision will ultimately require an amendment to the County’s Comprehensive Solid Waste Management Plan (SWMP) adopted by the Council and subject to final approval by the Maryland Department of the Environment (MDE). While MDE has informed Council Staff that the County could precede with the County Executive’s recommendation (closing the RRF and transitioning to long-haul of waste out of the County) prior to amending the SWMP, the Department has informed staff that “MDE recommends that the county submit a draft amendment or plan to MDE for review and comments before adopting the plan.” I believe a SWMP amendment process will support a coordinated approach that recognizes the relationship between waste disposal and other elements of the solid waste system including waste reduction, recycling and composting. This will also provide an opportunity to receive comments and potential concerns from MDE earlier in the process which the Council can incorporate into its final decisions. Finally, and most importantly, the SWMP process assures that members of the public have an opportunity to review and comment on the future of this critical government service.

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Please provide the requested data and responses by no later than the first week of September so that the Council can begin work on this matter in the fall.

Sincerely,



Natali Fani-González
Council President

SOLID WASTE DISPOSAL OPTIONS FOR COUNCIL REVIEW

Option 1 (Executive Recommended) – Close RRF As Soon as Possible – Long-Haul of Waste by Truck with Eventual AWP

- Close RRF As Soon As Possible
- Long-Haul of Waste by Truck to Out-of-State Landfill
- Eventual Advanced Waste Processing – With Long-Haul of Remaining Waste

Option 2 – Close RRF As Soon as Possible – Long-Term Landfilling

- Close RRF As Soon as Possible
- Long-Term Landfilling of Waste

Option 3 – Close RRF When AWP Comes Online

- Continued Interim Use of RRF
- Transition to Advanced Waste Processing – With Long-Haul of Remaining Waste and Closure of the RRF

Option 4 – Long-Term Use of RRF

- Continued Long-Term Use of RRF

Questions for Option 1 – Clarification of Executive’s Recommendation

Long Haul:

1. What is the estimated number of waste transport trucks that would depart and arrive daily to and from the Transfer Station under long-haul prior to implementation of Advanced Waste Processing (AWP) and after AWP begins?
2. Does the recently issued RFP allow waste collection vehicles to bypass the Transfer Station and deliver waste directly to one of the contractor’s facilities? If so, does the RFP include a provision to recover tip fees from these vehicles?
3. Does the recently issued RFP for long-haul set any conditions regarding the presence of aquifers in the vicinity of a landfill? The aquifer concern was raised in the context of considering the use of Site 2. Is this concern taken into account in the RFP for out-of-county landfilling?
4. Does the recently issued RFP require that waste be disposed in a dedicated landfill cell or include any other protections against Superfund liability?
5. Please explain how non-processible waste is disposed of currently and how this waste would be disposed of under the Executive recommendation.

Advanced Waste Processing:

6. What is the concept plan for the AWP facility? What would be the facility’s capabilities and when does the Executive anticipate that the facility would be operational? Please identify an existing AWP facility currently operating that has similar capabilities and similar tonnage throughput as the proposed County AWP facility.
7. Has the DEP affirmed that an Advanced Waste Processing Facility is feasible to locate at the County’s Transfer Station? If DEP has determined that the Transfer Station site could accommodate the proposed AWP facility, would the County be able to continue Transfer Station and Recycling Center operations during construction of the AWP facility? If DEP has determined that the Transfer Station site could not accommodate the proposed AWP facility, where would the facility be located? Would DEP consider out-of-County locations?
8. Would the AWP facility supplant the need to operate the Recycling Facility?

Composting:

9. How many additional tons of compostables could feasibly be diverted from the single-family, multi-family, and non-residentials sectors? Please describe the proposed methods and timeline for collecting these compostables.

Site 2 and RRF:

10. What would be the planned use of Site 2 during the initial long-haul phase and once Advanced Waste Processing is implemented? Would Site 2 remain available as a backup landfill site in the event out-of-County landfilling becomes unavailable or becomes too costly?
11. What are the post-closure plans for the RRF facility and site?

Environmental Impacts:

12. Please explain and detail the methodology used by DEP to evaluate the environmental impacts of:
 - out-of-County landfilling including trucking air emissions, landfill GHG and VOC emissions, potential soil and groundwater contamination, and other environmental effects.
 - continued operation of the RRF including GHG emissions and emissions of dioxins, PFAs, heavy metals, acid gases, nitrogen oxides, and other environmental effects.
13. Please explain and detail the methodology DEP used to evaluate the environmental benefits of:
 - advanced waste processing, including increased diversion of compostables and recyclables.
 - waste to energy including increased non-fossil fuel energy production and reduced tons sent to landfill.
14. Please reconcile out-of-County landfilling as the primary waste disposal option with the [U.S. EPA's Sustainable Waste Management Hierarchy](#) that considers waste-to-energy more environmentally preferred than landfilling.

Racial Equity and Social Justice:

15. Please explain and detail the methodology used by DEP to evaluate the racial equity and social justice impact of MSW disposal options including landfilling municipal solid waste, landfilling RRF ash, transporting waste by truck, and transporting waste by rail.
16. Given the RESJ concerns with the County's current ash disposal, has DEP investigated disposing of ash at Site 2, the Fairfax County ash monofill, or another landfill in a less impacted community?

Questions about Options 2, 3, and 4 Assumptions

17. Does the recently issued RFP include an option for landfilling of waste at an out-of-County landfill beyond ten years?
18. Under Option 2, would it be possible to transition from truck haul to rail haul of waste in future years?
19. What remaining short-term capital improvements would be needed to the RRF to continue operation until AWP comes online (Option 3)?
20. What long-term capital improvements would be needed to the RRF to continue operation for the next 25-30 years (Option 4)? During the renovation/upgrade of the RRF required under Option 4, would some or all waste need to be disposed elsewhere for a period of time? Would these upgrades also reduce the environmental impact of the RRF?
21. Could Site 2 be utilized as a composting facility for food waste (Options 3 and 4)? Has DEP evaluated in-County sites other than the Yard Waste Composting Facility for a food waste composting facility? Has DEP explored the prospects of partnering with other jurisdictions to site a regional composting facility?
22. What would be the estimated costs and timeframe required to open Site 2 as a County landfill?