

Held

May 4, 2006

**Special Meeting of the Board of Trustees
May 4, 2006**

Rumpke Blasting Work Session

Mr. Corman called the meeting to order at 7:07 PM, with Mr. Corman, Mr. Fiedeldey, Mr. Ritter, and Mrs. Harlow in attendance. Mr. Corman said the purpose of the Special Meeting is to hold a work session with Rumpke officials to work to resolve the issues affecting Township residents as a result of blasting at the Rumpke property

Mr. Reuter thanked Larry Riddle and the Rumpke company representatives for agreeing to come in tonight to talk about this. The Board had been getting a lot of complaints about the blasting from neighbors near the landfill. He has had several conversations with Mr. Riddle and Mr. Trauth, their attorney.

Mr. Reuter said that Mr. Riddle has explained to him what they're doing. He wanted to have all three trustees hear everything at the same time. He asked them to explain what they have been doing.

Mr. Riddle said he was going to go through presentation given to the public last week but the video equipment was not available. He wanted to discuss how to reduce the complaints and their compliance.

Mr. Riddle offered some background on the blasting. Early on, they were blasting 100-120 holes per day. On Dec. 13, 2005, they began doing two 2 blasts per day, but 50 holes per time. He explained that this is not one large explosion, but several in sequence, like dominos falling to get through the 100 holes. They have five permanent seismographs, which record each blast, and sent the results immediately to VibraTech. Mr. Riddle introduced Mr. Rudenko from VibraTech.

Mr. Riddle said they have looked at things like turning the shot: turning the energy more westerly, into a less populated area. They hired HydroRock, an excavator, to seek alternatives to blasting, like ripping machines. These did not work.

Mr. Riddle said that on March 15, 2006, after the Trustees' meeting, they self-imposed a moratorium on the blasting. They are working with the consultants and looking at charge weights, timing, making a deeper or larger hole, etc. These changes did not produce the relief they were looking for, but they have made progress with the changes. They could determine no cause and effect, but the second week seemed better. The seismic readings are staying pretty steady. They think they found a "sweet spot," but neighbors will still feel the blast. They are confident they not producing damage to property or the water line running through the property. They can feel it in their office. While it is their goal, Mr. Riddle said it is tough to be invisible at property line.

Mr. Rudenko with VibraTech said that he is a licensed professional geologist and blaster. He gave an overview of the company and his professional qualifications.

Mr. Rudenko discussed his role with Rumpke. Prior to the blasting, he performed condition surveys, which document existing conditions in the

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structure, like cracks, flaws, etc in the structure. He installed perm seismographs, which are downloaded and analyzed by him. He personally looks at data from every blast Rumpke does.

Mr Ritter asked about his feedback mechanism.

Mr Rudenko said, that based on experience at other sites, his threshold is 120 db linear air over pressure or .4" peak velocity per second. Rumpke is consistently below those numbers. Rumpke realizes that neighbors can feel blasts lower than this. He recently performed a blast audit to look at ways to reduce the effects further. He is in the process of preparing reports on this audit.

Mr Fiedeldey asked about the standards.

Mr Rudenko said that the state of Ohio follows the federal standards. The 120db and .4" are below the state and federal standards. His experience in other communities says that this is the level neighbors have problems. Rumpke is below this level, but the company is not satisfied with this.

Mr. Fiedeldey asked about the "sweet spot" to which Mr. Riddle referred.

Mr Rudenko said there are two effects: air over pressure and ground vibration. Everything in nature has a natural frequency it likes to vibrate at. If you want to control a structural response, you keep it in the proper frequency.

Mr. Fiedeldey said that they are setting seismographs at the surface, but the strata might be below the seismographs.

Mr. Rudenko said that critical part is the surface wave as this is the worst, with the greatest amplitude and lowest frequency.

Mr. Fiedeldey said that the Township's former Zoning Administrator visited a house during a blast. It scared him as it shook the house that bad. However, the seismograph said it was permissible. Mr. Fiedeldey asked how we get beyond the seismographs, beyond the technical and think about the residents. He asked why they are blasting and what material they are trying to move.

Mr. Riddle said it is a shale and limestone mixture. It is a pretty competent material, especially at the lower levels.

In response to Mr. Fiedeldey's question, Mr. Rudenko said that his is not licensed in Ohio.

In response to Mr. Fiedeldey's question, Mr. Rudenko said that he has testified in court many times for his clients. He also does work on the other side.

Mr. Rudenko said that regarding the fellow who felt the blast, it is very tough to tell the difference ground vibration and air over pressure. He is working on the air over pressure and he feels that might be the largest issue. He will be making recommendations to Rumpke.

Mr. Fiedeldey said he doesn't care where it comes from, but wants it eliminated.

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Mr. Ritter asked if there is a way to lessen the blast if Rumpke delays the project opening date of the expansion area

Mr. Riddle said that this is possible, but they might have to slow down the timeline. They need to move 5,000 yards/day. If they go with less intensity, it will require more shots. He feels it is better to do one larger blast than several smaller. He said the blast is perceivable by people at low levels, .01". He said they are also working to develop deeper holes which may reduce air overpressure.

Mr. Riddle said that there was a study in 1993 by the Hamilton County Rural Zoning Commission. He said it is no surprise that they would blast in this expansion. They are still working to a 2 level, but damage to plaster is at 5

Mr. Rudenko said that homeowners feel blast and think that it must be doing something. In reality, the intensity is much lower than that. People can feel it, but cannot accurately perceive the level. The criterion in Ohio came from the U.S. Bureau of Mines and is the standard in 25 other states. They are below the level to preclude damage to the most sensitive part of the structure, the plaster.

Mr. Ritter said that many people are complaining about foundation damage

Mr. Rudenko said that the level to damage concrete is much higher than to damage plaster. With air over pressure, the windows are the most sensitive.

Mr. Corman said there is some give in the windows.

Mr. Rudenko said that a properly installed window is rated at 170 db and a poorly installed window is at 150 db. The Government set the level at 130 db. He said that 120 is where they are increased complaints, but Rumpke is less than 120.

He asked why residents are seeing cracks in foundations if levels are not high enough to crack plaster. He said that there are other factors in place, like soil pressure, freezing and thawing. His company is working to develop crack meter in mils. He stress is 10-100 times greater with humidity and houses are subjected to changes in temperature every day.

Mr. Ritter referred to the property damage survey. He asked what remedy residents have if they now have cracks.

Mr. Rudenko said there is a damage claim investigation. They will issue a report giving their opinion on claim.

Mr. Fiedeldej said that Mr. Rudenko's company should not be the one doing the investigation. It's like the fox watching the hen house.

Mr. Riddle said that they hire professionals and sees no issue with VibraTech performing the damage investigation.

Mr. Ritter said that he agrees with Mr. Fiedeldej. He started his professional career in auditing, where everything must be independent in fact AND in appearance.

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Mr. Riddle said they had no requirement to do a pre-existing condition survey. They did this to demonstrate that they have a program in which they are confident.

Mr. Ritter referred to Mrs. Hurt's problems with her swimming pool and foundation cracks.

Mr. Rudenko said that they will go with homeowner and show them the areas that have been damaged. They will document the damage verbally and with photos. They will review the blasting logs and seismograph records. Then, they will determine if blasting caused it and if it did not, what did. They will then turn over the results to their customer and review that with homeowner.

Mr. Reuter asked if Rumpke has caused any damage to property since 2005. Mr. Rudenko said they have not. They looked at two structures and the cracks were in concrete. With these cracks, they would expect severe damage to plaster, which they did not find.

Mr. Reuter asked if Rumpke has ever caused damage. Brian Krieger of Rumpke said that has not happened.

Mr. Reuter asked about the process. Mr. Rudenko said they must examine the type of crack and the freshness of the crack.

Mr. Reuter asked when the standards were established. Mr. Rudenko said it was 1976 to 1980.

Mr. Reuter asked if there could be something we are missing here. The blasts are within the limits, but the neighbors are complaining. Is there something wrong with the standards?

Mr. Rudenko said that there have been other studies after Bureau of Mines standards were set, even internationally. No one has produced evidence to the contrary.

For the minutes, Mrs. Harlow asked about the difference between drywall and plaster and if the terms can be used interchangeably. Mr. Rudenko explained that the threshold for plaster is 5 in/sec and .75 for modern drywall.

Mr. Fiedeldey said that plaster on lath does bend, but masonry (i.e. concrete) does not bend. The control joints will allow for movements, but not the products themselves.

Mr. Corman asked if the blasting could accelerate the naturally occurring cracks.

Mr. Rudenko said that the Bureau of Mines performed a study on the cumulative effects on structures. He said the overall findings from fatigue tests showed that levels below the threshold will not produce cracks, no matter how many times they are applied.

Mr. Corman asked about the effects if someone has a 50-year old home with existing cracks.

Mr. Rudenko said the load put on by blasting is much less than the natural occurring load.

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Mr. Fiedelvey read from the newspaper about property damage and Rumpke's comments. He said that he is leaning toward what Mr. Reuter said. He is tired of getting complaints from residents and wants end to this game. He thinks they admit there is a problem. They need to fix it. He quoted Mr. Riddle as saying that the residents should secure things a little tighter. Why should residents have to do this? He said that there is a problem, which needs to be abated.

Mr. Riddle said that residents should protect themselves and see what type of effects we will have. It is difficult to address problems if they are not aware of them. They will negotiate to get some people out of their situations. The Township has protected citizens in the consent decree.

Mr. Reuter said that they have tweaked the process by doing fewer holes, more often. He asked if they do same thing for a few days, complaints all the same.

Mr. Riddle said there are a lot of variables that affect air blasts and how it changes. In their blasting logs, they do look at conditions like the weather. Their blasting position changes each day. As far as frequency, it seems better to do one shot per day.

Mr. Reuter asked about the length of time for blasting in the southern expansion.

Mr. Riddle said that if they are limited to small blasts, would it be longer. Phase 12 is in 2012.

Mr. Reuter asked if it seven years if they move 5,000 yards/day.

Mr. Riddle confirmed this and said that sections of shot rock and more competent material are in phase 9 and 10, where they will be excavating and blasting in lower elevations. Five to six million yards needs to be moved, at a rate of 75,000 yards per day. This will require about 1,000 blasts. They would like the current phase done before winter time and moving 5,000 yards/day would keep on this schedule.

Mr. Corman asked if there have been any complaints from any retail establishments. According to Mr. Riddle and Mr. Reuter, none have been received by Rumpke or the Township. Mr. Riddle said that Colerain RV has a seismograph and has not complained.

Mr. Corman said this is a work session to try to find a resolution to the situation. It is the Trustees responsibility to ensure a quality of life in the Township. The biggest claim is property damage. He wants this resolved with both parties. What can we do to find relief for the residents and for Rumpke?

Mr. Rudenko said they are dealing with rock. The primary means of removal is drilling and blasting. This type of activity goes on everyday all across the county. Mr. Rudenko said they have performed a blasting audit. He is looking at what Rumpke is going with a very critical eye. Rumpke wants to have the least effect on the residents as possible. Reducing the air overpressures will make a perceptible difference for people. They will also control the frequency of ground vibrations. Doing better at these things will be better for the community.

Mr. Corman asked about the time frame and if they will meet with residents to go over this.

Minutes of

SPECIAL

Meeting

BARRETT BROTHERS, PUBLISHERS, SPRINGFIELD, OHIO

Form 6101

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Mr. Riddle said they do not have plan yet, but it is typical for them to communicate with the neighbors. They will follow-up with the cause and effect. They are open to communicating in any format, including face to face discussions

Mr. Corman recommended that Rumpke check with other people and businesses in the more immediate area

Mr. Fiedeldey asked if what they are doing will have an unreasonable effect on the residents.

Mr. Riddle said that they do not feel they have an unreasonable effect on the neighbors. They would like to be invisible at the property line, that is the goal. They are committed to this and are getting as close as they can.

Mr. Ritter asked if Mrs. Hurt can call Mr. Riddle to compare the damage to her property.

Mr. Riddle agreed to this

Mr. Fiedeldey read through complaints and said it is obvious that there needs to be some improvement.

Mr. Riddle said that they reinstated the basting in July of last year.

Mr. Fiedeldey said the complaints are from this year, from February, March and April. He asked about the end-game.

Mr. Riddle said that they made changed in December and January. They are living within the self-imposed lower levels. When they shifted from Reaenne, this may have caused problems for other people. Mr. Rudenko is looking at the data now.

Mr. Corman said that Rumpke needs to find a solution. We have the past on record.

Mr. Fiedeldey said that Rumpke has been going by the seismographs, but right now we are going by the complaints.

Mr. Ritter suggested an evaluation period for two weeks then try to find a "sweet spot."

Mr. Rudenko said that is an always evolving process. The end goal is to reduce the number of complaints.

Mr. Ritter asked about the process to report the results to the Board.

Mr. Riddle said there is no problem for the Board to receive this. Mr. Rudenko agreed that feedback is important.

Mr. Corman said that he would like to know when the meeting with the public will be

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Mr. Riddle said that they feel it is better with a narrower group, but they will inform the Board.

Mr. Fiedeldey said that Mr. Reuter should suggest a timeline.

Mr. Reuter said that it is important that the Township receives the report about the efforts to mitigate.

Mr. Rudenko said that his goal is to expect improvement.

Mr. Ritter said that there would be opportunity for public comment on this issue at Tuesday's Board of Trustees meeting

ADJOURNMENT

With no further business to come before the Board, at 9:20 PM, Mr. Ritter motioned for adjournment Mr. Fiedeldey offered a second

Mr. Corman "Aye"

Mr. Fiedeldey "Aye"

Mr. Ritter "Aye"


Fiscal Officer


President