

WASTE & MATERIALS MANAGEMENT STUDY GROUP – Notes: October 26, 2016

Location: Portage County Courthouse Annex

Member Attendance: Albee, Curry, Doverspike/SWANA, Johnson, Karwoski, Meyer Smith, Morgan, Nickodem/AROW, Salisbury,
 Welch/WCSWMA

DNR Staff Attendance: Carey, Coakley, Lamensky, Semrau

Subs/Guest Speakers:

Time/ Presenter	Topic	Follow-up/Notes
1:00 Meleesa	Agenda Adjustments and Note Review	<ul style="list-style-type: none"> Notes from 8/9/16 were approved (vote: 9:0). Finalized notes can be found here on the WMM website
1:20 Ann	DNR Updates	<p>Hiring updates:</p> <ul style="list-style-type: none"> Joe Van Rossum begins October 31 as new Recycling and Solid Waste Section Chief Tess Buege was hired as a new engineer in Green Bay and has started Jackie Marciulionis was hired as a new hydrogeologist in Green Bay and will start on November 14th Bob Grefe retires on Nov 4th. The engineering plan review expert position will be posted in January. Rob Grosch (engineer – SER) will be retiring in January. A new engineer will be hired but due to geographical shifts, likely in Eau Claire. Hoping to hire a hydro that is shared between NE and SE regions for Greg Tilkens retirement The other two Section Chiefs (Colleen Storck and Ed Lynch) will retire in May and June 2017 Colleen Storck is the Business Support and IT Section Chief. She has been with the program for 41 years. The plan is to post the position in January and hire with some overlap before she retires. Ed Lynch is the Hazardous Waste and Mining Section Chief <p>Alignment updates:</p> <ul style="list-style-type: none"> Nothing new at this time, announcements will likely be made in December. Ann anticipates few changes to the WMM Program Amber asked about newspaper stories on alignment which mentioned alignment was waiting on the election. Ann said she has not heard anything about if and how the election is impacting alignment.
1:30 All	Subgroup Overview	<p>Organics</p> <ul style="list-style-type: none"> Have met once to get to know group and to brainstorm the direction of the group Mainly asked: what should the group be called?, will the group also work on food waste reduction and what is the waste industry's role in that area?, and what is one wish for organics management? The group also discussed the EPA food waste hierarchy and the fact that in some cases landfilling may be the best disposal solution Chad mentioned he is happy to hear all options are being considered and expressed concerns over the environmental benefits of organic landfill diversion projects and the environmental issues with the

added transit needs

- John mentioned a UW life cycle study found landfill diversion is not environmentally beneficial
- Meleesa clarified that carbon analysis and life cycle analysis are two separate analyses and that her main focus is reduction of food waste, not diversion
- Lynn pointed out that the waste industry has the infrastructure for managing generated waste but is not well set up to promote waste reduction through social intervention and public education
- Meleesa said having someone from EPA Region 5 will help us to use some of the learning experiences from other states and that there is some education infrastructure in place based on RUs
- John pointed out that industry and business sectors need to be considered in addition to household waste generators

Alternative Landfill Caps

- Craig Benson provided research and case study background at the subgroup call
- The group has access to data from about 50 test projects and 25 years of data the closest to Wisconsin is in Hibbing MN but there are also projects starting in MI and IA
- Most of the projects out west were approved as RD&D projects but the group consensus would be to not have alt caps approved through RD&D since it has a sunset date. Instead they would encourage approvals using subtitle D equivalency.
- EPA has extended the 12 year RD&D rule but a change has to be made to Wisconsin Administrative Code before the extension could be approved for Wisconsin landfills
- John asked about the possibility of an emergency rule for this change
- Ann said that the RD&D rule is definitely something the department is looking into and that it is on the list of topics to cover when NR 500 is updated but an emergency rule may be an option as well. Ann said an emergency rule would take about a year and that she is looking at all options with the WMM management team and legal staff.
- The subgroup discussed the belief that current dry tomb standards reflect the technology of the 90s
- Subgroup goals include defining what the DNR would accept for subtitle D equivalency, the possibility of delayed final cover options and analyzing alternative covers in climates most applicable to Wisconsin
- Tim asked about a project in St. Louis using poplar trees. The subgroup wasn't aware of that specific project but there are a couple of these sites currently operating as well.
- John asked how receiving NR 500 compliance for alternative caps would impact gas emission compliance and NR 400.


Recycling innovation


- The group has changed aims and decided that funding goals may not be the best course of action
- The group wants to build credibility to have a more influential voice and to work on a broader focus
- Lynn asked what the group has heard about funding in the next budget cycle. The group hasn't been hearing signs that RU funding for the next budget cycle will be different from the last budget cycle.
- The group plans to be very judicious in topic selection and will focus on changing the dialog rather than fighting it. The FOWRD group has disbanded due to retirements and position changes so this group will be using some of their work including how continuous innovation and a reward system for success can be implemented.

- The subgroup asked about the health of the Environmental Management Account. Ann said she would ask Paul Neumann, the DNR's budget and policy section chief, to give a presentation.
- Meleesa provided some additional information about AROW's recent board meeting including the fact that the Board does not plan to request a funding change this budget cycle but are still working with Senator Cowles and have sent him the finalized Glass Task Force report. Adams County and Outagamie County are now using Faulk Brothers, a sandblasting company for glass recycling.
- Ann said she has learned is that if an argument is based on the name of the fund (for example "don't use money from the recycling fund for non recycling purposes"), than the fund may simply be renamed and it will be even easier to use the fund for any purpose. She thinks it is helpful to educate regarding the cost of recycling and that it isn't free - a common misconception.
- John agrees he has received that feedback about recycling before. Lynn agrees which is why this group is looking at more innovative ideas.

Construction and demolition

- The subgroup discussed C&D landfill concerns including the fact that all C&D landfills with groundwater monitoring have had at least one occurrence of gw exceedences
- The asked why the C&D landfill rule was developed and if there are still reasons to have C&D landfills
- Jason said the goal was to try and minimize illegal dumping and Lynn added that it was to help with some of the concern people had about the number of landfills being reduced as subtitle D was promulgated which has really been solved with transfer facilities in most areas of the state.
- The group is considering the pros and cons of increasing the environmental standards for small C&D landfills to the intermediate level, options for fee structure, the need for one time disposal/disaster situations, standards for separation of C&D landfills from groundwater, phased capping requirements, requiring load inspections, VOC sampling requirements and onsite operators.
- The DNR doesn't have citation authority for these facility types and only the most egregious cases will be referred to the Department of Justice.
- Meleesa stated that changing regulations for C&D landfills was an item from the governor's task force report in 2005.
- The direction of the group is looking at increased environmental regulation to reduce bad actors.
- Sen Cowles did not know about C&D landfills and is interested in the information the group gathers.
- There was a budget cycle where taxing C&D landfills was proposed and rejected but in that instance no one from the building industry was worked with and they were caught off guard.
- Ann informed the group that acceptance of non-C&D materials in something the department focuses on and that the department does require VOC monitoring and owner financial responsibility for all new C&D landfills. She also indicated that some C&D landfills are inspected 2X/year which is more than some MSW landfills.
- Alan pointed out that people do not know what to put in roll-offs so even if the facility is very careful about this, contamination is likely
- Jason asked when the building council should be brought into the discussion.
- Additional ideas include not allowing C&D landfills within a certain radius of MSW landfills and making sure inspection fees cover these facilities and aren't being subsidized by MSW landfill fees.

	 <p>GW terminating at closed landfills update</p>	<ul style="list-style-type: none"> • The group asked about the number of open burning and open dumping complaints the department gets and if having C&D landfills to combat these issues is a real or perceived need. People may open dump no matter how close proper disposal options are. The price difference between MSW and C&D landfills is only about \$5/ton. • Ann said analysis would be needed in areas that are underserved by MSW disposal options. • Ann acknowledged that there are a few enforcement cases with C&D landfill operators each year but that there are also good operators. • Lynn asked how often these facilities are being cited. The department issues NONs and NOV. DOJ referrals are not common. • Jason also summarized the current state of C&D recycling in Wisconsin. He pointed out the challenges include low tipping fees, low density populations, the fact that landfills are located very close to urban centers, commodity price fluctuations. Pros include strong wood markets. • Several cities have C&D recycling ordinances in place including Madison, Fitchburg, Chicago and Austin. The state of California does as well. Seattle has a deconstruction ordinance. • There are several ways these ordinances are structured; for example, in Fitchburg you pay a fee upfront and get a deposit back if you meet the requirements. In Madison you're assessed a per ton fee for non-recycled material. • Lynn pointed out that communities can do outreach without a mandatory ordinance such as what Wauwatosa is currently doing. • John said there is potential for disseminating information with the DNR's demolition notification form. <p>GW monitoring</p> <ul style="list-style-type: none"> • The group is looking at reducing or terminating gw monitoring at closed landfills, where appropriate, and working off the current DNR guidance that covers this • The guidance is okay for consultants but may be a bit intimidating for many others. The group hopes to create a flow chart of questions to ask to determine if a site is a good candidate for reducing monitoring frequency, reducing the number of wells monitored, reducing the parameters monitored, or terminating monitoring • The group did acknowledge that greatly decreased monitoring frequency does come with the risk of "losing" wells and would recommend a monitoring well inspection in off years • They are also looking at recommending these requests be reviewed by a committee rather than by the entire hydro team • Next steps for the group include researching similar initiatives by other states and using the wetland guidance as a template • Some concerns were discussed about the idea of termination and how some people may think of the R&R monitoring closure process. These sites would likely still have a web notice or deed restrictions and termination would need to be approved.
<p>3:00 Casey</p>	<p>Subgroup Process and Tools</p>	<ul style="list-style-type: none"> • Please send meeting notices as soon as a time and place is scheduled for the meeting with a minimum of two weeks. See side bar for format. • Send to Casey at Casey.Lamensky@wisconsin.gov with a subject saying it is a meeting notice

	 <p>meeting notice template.docx</p>	<ul style="list-style-type: none"> • Subgroups will not post meeting notes on the website • In the process of setting up a SharePoint site for each subgroup. All members will be required to get a WAMS ID to use the SharePoint site • DNR staff will be able to set up Skype for Business invites for any meetings. First contacts by subgroup will be Jennifer Semrau – recycling innovations and C&D; Valerie Joosten – alt landfill caps, Casey Lamensky - organics, Joe Lourigan – gw monitoring. Contact Casey and Jennifer as back-ups.
<p>3:45 All</p>	<p>Next Meeting</p>	<ul style="list-style-type: none"> • Environmental Management Account presentation requested for the December meeting • Everyone should bring ideas for how the Study Group wants to manage elections to the December meeting • Elections and an update on the NR 538 rule rewrite are tentative for the February meeting