

MINUTES

COUNCIL ON RECYCLING
MAY 22, 2007
ALLIANT ENERGY CENTER
1919 ALLIANT ENERGY CENTER WAY
MADISON, WISCONSIN

Council Members Present: Jerry Maerz (for Jeff Fielkow); Neil Peters-Michaud; John Reindl; Cecelia Stencil; Charlotte Zieve

Council Members Absent: (2 vacancies)

Also attending: Betsy David, Cynthia Moore, DNR

Call To Order: The meeting was called to order by Chair John Reindl at 9:05 AM.

Introductions and Announcements: Reindl said that C&D recycling was no longer a Council priority but there is a carpet recycling meeting on May 23rd. He said he knows of two projects in Dane County on drywall processing. The Bruce Company- a local landscaper, and a farmer are both vying for market for scrap drywall. The farmer says he can't get enough for his needs. Reindl said that dry wall can add both calcium and sulfur. Because power plants are cleaner and not emitting as much sulfur as in years past, farmers need to add sulfur.

Reindl said there are also two shingle processors looking for material. The Bruce Company is grinding it and using it for internal roads. Payne and Dolan, a road construction firm, is also looking for shingles. Cecelia Stencil says shingles are being used in her area as well.

Reindl said that old landfills are in the news. There were articles in Eau Claire and Madison newspapers about where they are and what is in the landfills.

Reindl said that there are still two vacancies for the Council. Reindl has contacted the Wisconsin Paper Council and the Wisconsin Institute of Scrap Recycling Industries for recommendations for the Governor. The Council has traditionally had someone representing the paper industry.

Reindl said that the UW has a grant program that covers recycling. Reindl distributed a list of projects it has funded. The list is available on the UW-System web site. He said they are always looking for projects. He said he used the grants program to tackle problems. Neil Peters-Michaud said he has used the program and it has helped his business. Eileen Norby is the contact at UW-System.

Minutes: Charlotte Zieve moved and Stencil seconded Minutes of 12-12-06 and 2-23-07. Accepted by voice vote.

Election of Officers: Zieve nominated Reindl for Chair. Stencil seconded. There were no other nominations. The motion carried

Zieve nominated Peters-Michaud for Vice-Chair. Stencil seconded. There were no other nominations. The motion carried.

Zieve nominated Stencil for Secretary. Peters-Michaud seconded. There were no other nominations. The motion carried.

Reports

State Budget: Reindl gave background on the budget procedure. Reindl said the Joint Finance Committee deadlocked on most recycling issues. If they deadlock on an issue, the issue stays as the Governor proposed it for base budget issues. The tipping fee is in the budget so the tipping fee goes from \$3.00/ton to \$6.00/ton but the renewable energy transfer was deadlocked so it did not get into the budget. Reindl heard there was support for increasing the funding for RU's during the discussion of Joint Finance. That vote failed when it was coupled with the

increase, but Reindl thought it would have passed if voted on separately. Reindl said there was also an environmental tipping fee increase in the original budget. Again, they deadlocked, so the Governor's increase stayed in. That would raise the fee from \$.79.7 to \$1.89.7/ton. They also passed an increase in the Demonstration Grant program by \$1M/year for non-profits for business recycling. The maximum for any organization is \$250,000/year. The Corrections recycling program was not discussed. Reindl said that Clean Sweep was increased from \$421,000/yr to \$1M/yr. Reindl said that was a good increase but it still would not cover all the costs. Costs for handling collection and handling of pharmaceuticals could be included and received specific support from Joint Finance Committee members. Reindl said the Legislative Fiscal Bureau created the background papers and they quote the Council and Task Force recommendations in the paper. Peters-Michaud asked if e-scrap was included as an eligible cost. Reindl did not know.

DNR: Moore said that the DNR had received complaints of retailers overcharging for lead acid batteries deposits. Suzanne Bangert sent a letter to the specific retailers reminding them of their obligations and of the \$5 cap on deposits. They are also working through the Department of Commerce to remind retailers of their responsibilities for signage for lead acid batteries and used oil. DNR is also contacting businesses to have them encourage customers to recycle the green tipped CFL's. The Waste and Materials Management program has worked with Forestry on clearing up language on burning permits, is working with Parks on carry-in-carry-out and working on revising the recycling web pages.

Reindl asked about the effect of the DNR's hauler notification rules. Moore said that they have taken three enforcement actions. Small haulers have used the rule to get recycling contracts. It is a business awareness opportunity.

Governor's Task Force on Waste Materials Recovery and Disposal: Cynthia Moore said that the 2006 report went to the Governor on time. In April 2007 Task Force Chair Tony Vogel and Suzanne Bangert briefed the NR Board. Highlights included: expand economic analysis and hire an environmental economist, supported voluntary producer responsibility and to adopt the Midwest E-Waste Policy, preserve recycling funds fees for recycling related activities, recover more C&D, recover more scrap paper, support the Council's position on recycling compatible adhesives (RCA's), require C&D landfills to meet requirements similar to regular landfills, expand bans on universal waste to households (currently individuals are exempt from some bans while business is not). Vogel told the NR Board that he saw this as a comprehensive package, not a number of individual actions. He has urged the Governor to take action on these recommendations.

Bangert gave the NR Board a list of actions that the department can do to respond to the task force's report that do not require legislation. The DNR is getting information on e-scrap out on the issue and has updated the DNR web site. DNR is working on pharmaceuticals, including enforcement discretion to allow collection events. DNR is working on several food recovery projects. The DNR has several C&D projects. The DNR is working very hard on open burning. The DNR is expanding web access.

Moore said the DNR is setting up an implementation group for the Task Force recommendations. The first meeting was held. There are many unresolved issues including authority, staffing and membership.

Moore said that the DNR is emphasizing business recycling. DNR will make changes to the program to be more flexible and allow RU's credit for business activities.

Moore said that the DNR is looking at other landfill bans for items such as used oil absorbents and universal waste.

Moore said that the DNR was also looking at rule development.

Moore said that the NR Board wants a road map with specifics before it will take any action. She said she was trying to identify which activities would need legislation and which could be done by rule and which could be done by the department.

Moore said the Task Force group will meet again soon.

Reindl said the Council should review its priorities and see how they fit with those of the Task Force. Peters-Michaud asked if structural changes were necessary. Moore said that the DNR is looking at the program in general. Peters-Michaud asked what she saw as the biggest

shift in the document. Moore said that producer responsibility was the biggest shift. Reindl said he thought the most important recommendation was including the environmental and social costs in decisions. It is now almost universal that we shouldn't just look at the financial cost or cost benefit but the total costs. The work shows that there is an incredible social benefit to recycling. The costs of recycling and solid waste were both about \$100/ton. For solid waste disposal there was a \$5 benefit resulting a net cost of \$95. For every ton of waste that is diverted by recycling there is a social benefit of +\$285/ton, reaping a net benefit of \$185/ton. The task force recommendation is to require students to take a course in environmental economics. Betsy David questioned some of the numbers about willingness to pay. Reindl said that people recognized the limitations but did not challenge the report. He said that there were a number of other factors other than willingness to pay that were included in the report.

Reindl asked what DNR would need to get this done. Moore said that legislation would be needed for the economist position and for the course requirement that students in conservation and natural resource programs in the UW system would need to take an environmental economics course. Reindl asked if DNR has been talking to the University or UW-Extension or to Commerce about this idea. Moore said she didn't think that this had happened. She said that there were other ways to do this, such as contracting for the DNR to hire environmental economics expertise

Peters-Michaud said that many companies were doing triple bottom line reporting. The DNR should do something similar. That would link it to other issues such as poverty and health. Reindl said that businesses are realizing that global warming is making an impact. They are looking at the environmental impact of their actions. Moore agreed that business was recognizing their role in the environment.

Reindl asked why DNR limited its business assistance contracts to non-profits. Moore said that is statutory. The DNR has no plans to work for a change in the law. Business groups can form non-profits to apply. The DNR is looking at contracting with associations and with industry byproduct synergy groups. They would match byproducts with the waste stream. Groups that might be interested in this include landscapers and hotels. DNR is waiting for the law to take effect before starting any outreach.

Priority issues:

Electronics: Peters-Michaud said that he and Reindl and Dan Fields, DNR, met with the Department of Administration (DOA) procurement staff to discuss a Request for Bid (RFB) for a three-year contract for desktop and laptop computers and the issue of materials use and recovery. This would be about 10,000 systems over the three years. Lyman Fuson and other procurement staff were very interested and were able to include the EPEAT requirements that EPA established even though they only had one day to redraft the proposal. Peters-Michaud discussed the EPEAT requirements. Peters-Michaud commended the DOA staff for their willingness to discuss and act on the Council's concerns. The RFB has been distributed and the bids are being evaluated. Peters-Michaud said that he has found out that \$286 million worth of government IT contracts have been bid using some type of environmental criteria.

DOA is also following the goals for energy reduction set forth in Act 146. The Council will work with DOA to set goals not only for energy use but also for disposal, manufacturing, emissions and other related environmental issues. Peters-Michaud said that DOA is going to make life-cycle decisions on a whole host of other materials as well. Again, the Council will work with DOA to see if they can add other requirements that will reduce the environmental impact of these other purchases. Most companies know that these types of specifications are coming and will be prepared. Reindl praised Peters-Michaud for putting the information together and successfully presenting it to DOA. Peters-Michaud said he was impressed by the background of DOA procurement staff and their willingness to accept recommendations.

Peters-Michaud said that EPA is creating best management practices for disposal of e-waste. This is a facilitated process with a wide variety of participants. The group met in Chicago last week. Moore said it was very interesting. About 30 groups were represented, including manufacturers, de-manufacturers, nonprofits, environmental groups and others. Many issues were discussed including exports, reuse and certification of downstream recyclers. Peters-Michaud said it was a voluntary program but would include an audit process. It may become a

federal requirement. It is a significant investment in time and money. It takes 2-3 years to be certified. It doesn't address all the issues. It will take 2-3 years to set up the certification.

Moore said that Sen. Miller will introduce his bill later this year. Another legislator is rumored to be readying legislation as well. Peters-Michaud said that Minnesota passed producer responsibility legislation. It takes effect September 1. Out-of-state electronics waste may be an issue soon. He said that Oregon and Washington State may follow. It is unlikely that federal legislation will be forthcoming. Peters-Michaud suggested that we continue to follow up on landfill bans, procurement guidelines and best management practices. Peters-Michaud said that some more companies were adding programs. Staples is taking computers and other electronics for \$10. The program is aimed at individuals. This issue has momentum.

Reindl asked about next steps. Peters-Michaud said that members should send recommendations to Sen. Miller and other interested legislators. Zieve said the reporting requirements in Sen. Miller's bill from last session were too onerous. Peters-Michaud asked if the Council should stick with the recommendations. The Council affirmed that their recommendations still stand. Reindl said he will put a subcommittee together if that was necessary.

Mercury Containing Products: Reindl said that 29 states have introduced 94 bills on mercury in products. Four have been adopted. Most bills introduced in the last three years have dealt with mercury switches on automobiles. The next most popular is eliminating or reducing mercury in childhood vaccinations. The next is electronics, then thermometers and then thermostats. There is no current legislation in Wisconsin. Sen. Jauch has announced that he will introduce comprehensive legislation on mercury in products.

Another issue is fluorescent light bulbs. Australia has banned incandescent bulbs and other countries may follow. Wisconsin is also revising its Uniform Dwelling Code. It would include a prohibition on mercury thermostats in new construction. Reindl said he does not think there is much more the Council can do on this issue. He suggested we just continue to monitor the issue. Stencil said that Wisconsin is focusing on power plants but is ignoring mercury in products.

Clean Sweeps: Reindl said we will ask Jeff Fielkow about this issue at the next meeting about whether or not this should be a priority.

Paper: Reindl said that he sent a letter to the Governor, DOA, DNR and environmental committees in the Senate and Assembly about stickies and their substitute, recycling compatible adhesives (RCA's). He and former member John Piotrowski also authored a 4-page article that was printed in *Resource Recovery* magazine about the subject. He wasn't able to get pictures for the article. Reindl said that this is an issue that we can do a lot with. We can write letters and articles and send to e-mail lists. There are many examples of the 'booger' glue being used. He has contacted several companies about changing to RCA's. Some companies have responded. *PC Scale* will ask their printer to change. The *Isthmus* also said they will talk to their printer. Zieve said there is no hardship. Why don't the companies just do it? Reindl said they have to be made aware of the problem. Reindl said that when Tyvek came out Reindl contacted the 'Greeneyes' e-mail list and the company responded within a week. Pressure does work. Zieve said that if Reindl puts together a letter she will send it back to each company that sends her a letter. The information is on the DNR web site and on the Tag and Label Manufacturers' web site. Peters-Michaud suggested that the Council create a domain site for this issue. It can be an interactive site, listing successes etc.

Other priorities: Zieve suggested out-of-state waste. Reindl said that it wasn't really a recycling issue. He's not hearing that issue as a problem for recycling.

Reindl asked if members thought education should be a priority. Zieve thought we should. People want to recycle other products but don't know how. We are not doing a good job of educating people. Jerry Maerz said that some people don't know and don't care. Most people know it's the law but it's not a priority. Contamination is still a problem. The Council can discuss at the next meeting. Zieve said that if the public knows about the stickies issue they will respond. Zieve will contact groups like BeSmart and Recycling Connections to discuss education ideas.

Reindl said he would write articles for the Milwaukee Journal Sentinel, Wisconsin State Journal and others.

Peters-Michaud said he would like to look at producer responsibility as a mechanism for disposal. Reindl suggested that we invite Brian Borofka from WE Energies to discuss this issue.

Reindl suggested that food recovery is an up and coming issue. Moore said that there is interest in large scale composting schemes. Compost standards are a complementary issue. Reindl asked if Kate Cooper could talk to the Council about the issue. Peters-Michaud asked if we needed to look at recycling infrastructure.

Reindl said he would send out an e-mail to a number of his lists asking for their priorities. Peters-Michaud said he has used an online survey tool and he will make that available for the survey.

Public Comment: Moore said the Multi-State Working group meeting is in June in Madison.

Other Business : The next meeting will be Tuesday, July 17, 2007, possibly in Milwaukee if that would help facilitate having Brian Borofka at the meeting. The following meeting will be Tuesday, September 11, 2007 at a location to be determined.

Adjournment: Peters-Michaud moved and Zieve seconded. The Council adjourned at 11:20AM.

Respectfully submitted by Daniel B. Fields, Department of Natural Resources.