

WASTE & MATERIALS MANAGEMENT STUDY GROUP – Notes: May 4, 2023

Location: Zoom

Member Attendance: Curry, Doverspike, Johnson, Karwoski, Knudtson, Mathewson, Morgan, Pellitteri, Sexton, Welch

Guests: additional attendees listened using Zoom

DNR WA Attendance: Lamensky, Murray, Semrau, Sholly, Strom Hiorns, Wolbert, Grimm

Time/ Presenter	Topic	
9:00 B. Sexton/L. Morgan	Welcome/Agenda Review/Minutes	Slides presented during meeting:  5-4-23 Study Group slides.pptx
9:10 Wolbert	DNR Updates <ul style="list-style-type: none">• Waste and Materials Management Program staffing and budget• Rulemaking – Electronics, Dredged Material, Hazardous Waste• State budget topics and process	<ul style="list-style-type: none">• Pausing digitization of files, 20% done so far, to focus spending on new hires• Scaling back IT contractor investments as well <u>Questions:</u> B. Sexton: Is there an acting engineer taking over for Valerie Joosten? B. Wolbert: Haven't hired anyone yet, but other engineers have stepped up. Ann Bekta has taken the lead role for NR 500 revisions. J. Welch: Mentioned structural deficit created by fees, how does that work? \$30 million surplus, so through the budget process shouldn't they be able to adjust surplus rather than having to adjust landfill fees? B. Wolbert: No, it doesn't work that way unfortunately. B. Sexton: Can push assembly person or senator to get a change and free money from the budget. J. Welch: Talk about advocating budget, how do additional fees on landfill work as a way for more money for staff? B. Wolbert: License fee surcharge (largest % of program revenue, 15 cents per ton) and plan review fee. Statute requires system of fees, hasn't been adjusted for inflation in many years. Trying to restore purchasing power, to maintain level of work.

	<p>M. Johnson: In stakeholder meetings, there's an accounting that shows funds available and fees. Are those funds available any time of year or only after an audit?</p> <p>B. Wolbert: Should be able to provide accounting information/balances on a more regular basis. Usually this is provided later in the calendar year because there was concern that we'd produce a surplus. If there's more than 20% surplus for 3 years, must adjust fees down.</p> <p>M. Johnson: Having the accounting information more often, maybe twice a year instead of once, would help track the numbers better.</p> <p>B. Wolbert: Will talk with Michael about providing more accounting information.</p> <p>B. Sexton: If you were at full staff, roughly how much money is needed?</p> <p>B. Wolbert: \$800,000-1million. In General terms, if we can restore fees based on inflation since 2006 will go a long way. 15 cents per ton is not enough so adjusting that should help our revenue a lot.</p> <p>J. Welch: Summary on governor's PFAS proposal in budget was given at the Green Fire PFAS event. Secretary was there. Proposed 8-11 positions that related to PFAS in the department, being funded by the environmental management account. They also included in the second year, about \$15 million in PFAS grants to the state coming from environmental management account. They proposed about \$22 million total out of that account for the next biannual budget for PFAS. If broken down, it's about \$2-3 million annually towards staffing costs/testing. There's been consistent problems with the environmental management account, which is going to be a concern to keep in mind.</p> <ul style="list-style-type: none"> • B. Wolbert continued updates: In terms of rulemaking, the joint committee for review of administrative rules did not object to the E-cycle rule, it will go into effect on July 1. Recyclers that process electronics materials will need a solid waste processing license, which helps address instances with noncompliance issues. • K. Strom Hiorns: E-cycle program is doing a webinar and in person workshops in June and July. • B. Wolbert: Emergency rule, Great Lakes dredging, already in effect. Working on a permanent rule, in which it looks a lot like emergency rule. We plan to take it to the August Natural Resources Board meeting. • B. Wolbert: We have 3 HW rules, those are all on track. One affects universal waste and adding aerosol cans, another is related to ignitability test method,
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		<p>and third handles some technical fixes. Working on economic impact comment period in October.</p> <ul style="list-style-type: none"> • B. Wolbert: Seeking EPA grant in CCR management, seems like it'll go through. There's another EPA grant called the climate pollution reduction grant, more of a DOA enterprise effort but DNR will be involved. • Quick things: No news of highly pathogenic avian influenza in WI. Moving DNR out of central office likely in 2025/26. <p>Questions: None</p>
9:30 Semrau	Recycling rulemaking update, feedback	<ul style="list-style-type: none"> • Went over slides • In Phase II, drafting rule language and thinking about economic impact analysis • Targeted affected parties' feedback: May 3 zoom call, roughly 20 MRFs in attendance, presented proposed MRF changes/goals • Poll results summary, conducted during meetings: <ul style="list-style-type: none"> - OFR for MRFs -split between support/do not support, - MRF education – majority support identifying edu for X facility/review contracted RU edu w/in 60 days - Certification of operation/annual report for tonnage- majority support - Contingency plans – majority support but 50% indicated that 48hrs wasn't the right period between long/short term <p><u>Questions:</u></p> <p>J. Welch: Is a certification of operation for MRFs a plan of operation?</p> <p>J. Semrau: Essentially but won't call it that and there's no fees. Considered a self-certification.</p> <p>J. Welch: Contingency plans are highly variable by facility on what you have for receiving storage. There's a challenge in terms of setting a fixed number and properly need to distinguish.</p> <p>Casey: No specifics on what counts for a contingency plan, just need to have something effective.</p> <p>C. Doverspike: Is the suggested OFR the same for both public and private owned MRF's?</p> <p>Sem: Yes, that question came up during feedback as well.</p> <p>Casey: Will post feedback slides</p> <ul style="list-style-type: none"> • MRF residual, 20% total residual cap – majority support

		<ul style="list-style-type: none"> • MRF residual, 30% total residual cap for each landfill banned material – split between support/not support • Haulers providing RU data – 50% haulers • Majority support both providing residential tonnage to all RUs by Feb 1 and provide name of MRFs with tonnage data • Feedback sessions Monday 5/8 at 6pm Wednesday 5/10 at noon
10:00 Strom Hiorns	Program plans for Solid Waste Infrastructure for Recycling grant application, feedback	<ul style="list-style-type: none"> • Went over slides • SWIFR Grant: First round of grants, application due May 31. Minimum of \$300,000 to receive, focus on organic collection and management. • Contract with non-regulatory entities to give customized recommendations. • Large focus on developing statewide food waste management plan, not sure of method yet. • Focus on creating partnerships and working with stakeholders to reduce food waste • There are a couple Department of Correction facilities that have compost sites, would be great to expand this and work with other state agencies • Partner with Department of Transportation- are there infrastructure projects to work on to increase/incentivize use of compost <p><u>Questions/Comments:</u></p> <p>B. Knudtson: Great to hear, these are examples we don't hear about such as the department of correction composting. AROW organics group is another great composting example.</p> <p>B Sexton: Perhaps getting ideas/direction rather than funding individual projects?</p> <p>K. Strom Hiorns: Yes</p> <p>P. Mathewson: Great to hear as well for our climate change efforts, let us know how to help.</p> <p>K. Strom Hiorns: Still waiting on Recycling education and outreach grant (REO). We partnered with The Recycling Partnership that applied for the grant. The recycling partnership worked with 7 states to do an education and outreach program where you can plug in information, and it will create post cards or mailers specific to RUs. Competitive grant program, not sure about any updates.</p> <p>J. Semrau: The REO grant will be the last to be announced and SWIFR are the second to be announced. There's about 600+ applications to review, we applied for maximum of \$2 million which is to be split between the 7 states – minimum of \$250,000 per state. Will target grant money more to rural/smaller RUs that may be disadvantaged.</p>

		<p>J. Welch: When is it announced? Julie Schilf, EPA: Must be announced by end of federal fiscal year, which is Sep 30th. Reviewing SWIFR right now and received most in the country, it'll take some time.</p>
10:15 K. Strom Hiorns	Landfill Standards and Solid Waste Fees rulemaking update, feedback	<p>Viewed documents and notes from Landfill Advisory Committee on SharePoint</p> <ul style="list-style-type: none"> • Went through committee charter, goals and interests (protect environment, mitigate climate change, sustainable waste program, environmental justice, etc.) • Can't change statute, Make sure rules are applied consistently • Maintain a sustainable waste program • Went over spreadsheet with summary/rationale of changes in code, mostly covered rule language • Considering economic & environmental justice (EJ) impact • Survey of top priorities: Alternative Liner, Alternative Cover, Owner Financial Responsibility (OFR), Codifying exemptions • Sources of clay materials are an economic issue/impact on some sites, considering a different type of liner. There was discussion about allowing foundry sand as an alternative liner, however, want to focus on how an alternative should be viewed as such and not a replacement of the design. <p><u>Questions/Comments:</u></p> <p>M. Johnson: Relating alternative liner/cover to environmental justice, EJ includes rural areas as well and not just urban areas/marginalized groups. Sourcing clay materials in rural areas also have impacts from an environmental justice perspective. Weaving EJ into all of this is important. What's the impact of sourcing massive amounts of clay on small rural communities?</p> <p>K. Strom Hiorns: How do we compare the factors, climate impact, economic impact, EJ impact, others and compare with alternatives. All good to keep in mind.</p> <ul style="list-style-type: none"> • Alternative Covers was the second most important topic, some questions came up regarding other allowable materials such as closure turf's, solar caps, additional soil, etc. • No solutions yet, focus on addressing alternative liners/covers over the next year • Might not be able to cover all top priorities in time allotted for rule writing <p><u>Questions/Comments:</u></p> <p>B. Sexton: Additional soil as an alternative probably wouldn't be allowed by the EPA. EPA did an alternative cover study, will include later to share.</p>

		<ul style="list-style-type: none"> • Topic Owner Financial Responsibility (OFR) was another high priority. There were some assumptions that we had the ability to address the net worth test for OFR. However, that's in statute so we can't alter that through this rule. Currently municipalities and public entities cannot use the net worth test for proof of OFR. <ul style="list-style-type: none"> - Could work with legislators to suggest a change • Codifying exemptions was another top priority, if there are things we are consistently approving, it should be put in code • Other comments address how to minimize the need for additional plan modifications, how code affects industrial vs msw landfills, leniency of phasing plans during closure • What big changes we want to focus on in the next couple of months and topic of discussion for next committee meeting is still up in the air, next meeting is June 21, 2023 (open to the public) • Asked the committee for explanations of preferences of code language, examples of common exemptions that could be codified, and finding case study examples that show performance of liners/alternative liners potentially containing PFAS to evaluate impact <p><u>Questions/Comments:</u></p> <p>B. Sexton: When will drafts be available on WA website?</p> <p>K. Strom Hiorns: When we have our concepts more in place, we can share the changes. In about a year, we will establish the economic impact analysis and full code language. Will aim to go fully public in about a year, but will discuss concepts and language along the way.</p> <p>B. Sexton: To summarize, you're still defining the scope in terms of which chapter?</p> <p>K. Strom Hiorns: With scope, we have ability to touch on any NR 500-528. Updating pieces that include landfills/solid waste facilities related to plan review and alternative liner/cover in multiple chapters. Still working on narrowing scope.</p>
10:45 K. Strom Hiorns	Overview of active and expected facility plan reviews in the W&MM Program	<ul style="list-style-type: none"> • July 1, 2022-April 1, 2023: 198 decisions issued, 84 decisions pending (includes initial site inspections, report submittals, compost sites, etc.) • Decisions include approvals, does not include incompleteness • 14 landfills in some stage of siting or vertical/horizontal expansion – 3 of these have had feasibility decision, 2 of them have submitted a plan of operation, expecting 3 more to submit a plan of operation in 2023/early 2024 • 11 landfills have had initial site inspection opinions letters are all set <p><u>Questions/Comments:</u></p>

		<p>B. Sexton: Any new landfills being constructed, or is it all primarily expansions? K. Strom Hiorns: There's one in Dane county that's in the early stages of development, most of the others are primarily vertical/horizontal expansions. B. Sexton: Reminder of timeframe to incorporate design changes now just in case there's updates. What's the timeline for the new development? J. Welch: Starting construction in 2027, started ISI about a year and a half ago. Things could be delayed.</p>
10:55	Round robin for Study Group members – Share organization or company projects and initiatives	<p>B. Sexton: State is going through changes in terms of stormwater regulation, a part of the new stormwater process approvals you must go through endangered resources archaeological and wetland determination. For smaller facilities, this new process can add \$10,000-20,000. This can also expand the process by 6-9 months, primarily for smaller facilities.</p> <p>Another thing, we do a lot of work with closed landfills. There are 2 facilities where the gas production is going down quicker than the original methane models have suggested. At what point can we turn off active flare systems and go to passive venting? Something we're investigating.</p> <p>Is that a landfill that's been closed 5-10 years or a recently capped landfill that could have led to some of that drop?</p> <p>B. Sexton: No, this facility has been closed for 21 years now. According to methane generation models from the EPA, there should be a spike in methane generation in 2-3 years after closure and then it starts to decrease. The question is when can we shut down these systems if we're running a flare, at some point we're expending energy to pull gas out and flaring it. There might be better alternatives, we're hoping to propose a pilot.</p> <p>B. Wolbert: Is there a passive method for oxidizing the methane that doesn't involve ignition?</p> <p>B. Sexton: Not that I'm aware of, unless you had it go through a cap. However, with the current composite cap system that isn't an option. There's air regulations and different challenges with flare or passive venting.</p> <p>C. Doverspike: Both of our closed landfills have 20-25 years of closure, have 150 CFM, 40% methane, and just spent \$250,000-\$300,000 putting in new flares. Need to start discussing long term care plans. Regarding the Landfill Advisory Committee, when I started working on the alternative landfill capping, we'd go two months in-between meetings and lose momentum. Wondering about potentially doing meetings more</p>

		<p>frequently in the beginning, about every 6 weeks as opposed to every 2 months?</p> <p>B. Sexton: Encourage getting actual data in terms of emissions if we went passive, need data to decide on how to move forward. Question for Chad, did you downsize blowers in your flare systems to accommodate the reduction and methane generation.</p> <p>C. Doverspike: Yes, blowers were downsized. Flares and enclosed flares were installed in the mid-90s, had to adjust flares for new technology.</p> <p>J. Welch: We're working on a greenfield, including 30 acres for a sustainable business campus, which encourages businesses to come in and do additional waste diversion-planning process for that. Also working on building a compost site that will accept food waste, hoping to have that operating in the spring of 2026. We'd be interested in continuing to discuss organics in the state.</p> <p>B. Knudtson: May is the month of composting and spring cleaning. AROW's social media and efforts currently are focused on those topics. Recently was in Minnesota for a conference, learned a lot about composting projects/methods. Connected with new composting facility in Reedstown that is working with University of North Carolina and Michigan State, plans made to collaborate on composting food waste. Hoping to expand this collaboration with larger communities.</p> <ul style="list-style-type: none"> • Communication/Marketing/Education meets 5/11 • Membership committee meets 5/19 9:30-10:30 • Emerging leaders meets 5/23 12-1pm • Organics Reduction and composting Committee meets 5/26 10:30-11:30 <p>B. Sexton: Losing rendering facilities/animal pick up, becoming a little bit of an issue. Is there a consideration at any of your facilities to take animals/CWD deer?</p> <p>J. Welch: We will take animals but won't take CWD deer, there are limitations put on your facility regarding where you can circulate leachate if you take CWD deer. We aren't comfortable with those types of limits, so we won't take deer.</p>
12:00	Topic suggestion for next meeting, Adjourn	<p>Next meeting: August 3, 2023</p> <p><u>Topics of Interest for next meeting:</u></p> <ul style="list-style-type: none"> • Updates with NR 544 & 542 Recycling code • Discussion regarding lithium battery disposal/recycling → grant funding? • Wasted food prevention and diversion

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