COUNCIL ON RECYCLING

2010 ANNUAL REPORT

Prepared for:

Governor SCOTT WALKER

and the

Legislature

of the

State of Wisconsin

Prepared by:

The Council on Recycling

Bureau of Waste and Materials Management
Division of Air & Waste
Department of Natural Resources

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Questions concerning this report or the Council on Recycling may be directed to:

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COUNCIL ON RECYCLING

Elected Officers/Executive Committee for 2010:

Chair: John Reindl, Retired Recycling Manager, Dane County

Vice-Chair: Rick Meyers, Recycling Specialist, City of Milwaukee

Secretary: Charles Larscheid, Director, Brown County Port & Solid Waste Department

Members:

Jim Cornwell, President, Universal Recycling Technologies
(Proxy for Neil Peters-Michaud)

Greg David, Owner, Prairie Dock Farm, and Member, Jefferson County Board

Jeffrey A. Fielkow, Vice-President, Recycling, Tetra Pak, Inc.

Neil Peters-Michaud, CEO, Cascade Asset Management, LLC

Charlotte Zieve, Retired UW Lecturer in Environmental Studies
Executive Summary:
   Membership: Seven members representing business, industry and local governments

   Purpose: Advises Governor, legislature, DNR and other agencies on recycling policy

   Priority issues:
   Developing a strategic plan for the Council
   Electronics- particularly computers and televisions,
   Mercury-containing products
   Paper recycling
   Product stewardship, and
   Recycling of used oil filters and used oil absorbents

Background
The Council on Recycling, authorized in s. 287.22 Wis. Stats., is a citizens’ group appointed by the Governor to advise the Governor, Legislature, state agencies and local units of government on solid waste reduction, recovery, and recycling policy. The Council is attached to the Department of Natural Resources (DNR) for limited purposes and is staffed by the DNR. Each member appointed to the Council serves a 4-year term expiring on the date of commencement of the next gubernatorial term. Terms of members appointed in the interim also expire on that date. Current membership includes individuals representing industry, business, and local units of government.

Councils that serve in an advisory capacity are required under s. 15.09(3), Wis. Stats., to meet at least annually, although the Council on Recycling has met a minimum of 3 times a year since its first meeting on December 5, 1990. Meetings are open to the public and the public is invited to participate. Council members take an official oath prior to assuming office and are bound by the code of ethics for public officials as provided under Chapter 19, Wis. Stats. The Council conducts business in accordance with its by-laws, Robert's Rules of Order, and the open meeting laws of the state of Wisconsin.
Council Responsibilities and Powers
The Council authorization and responsibilities are specified under s. 287.22, Wis. Stats. They include the mandate to promote the efficient and prompt implementation of state programs related to solid waste reduction, recovery, and recycling, and to advise the Governor and Legislature on such matters. More specifically, the Council’s following duties are enumerated:

- Advise and assist state, county, and municipal officials in coordinating programs and the exchanging of information.

- Advise the DNR and the University of Wisconsin System concerning educational efforts and research.

- Advise the DNR concerning the development of a statewide plan for public service announcements.

- Assist the Recycling Market Development Board if it develops rules. (Note: The Recycling Market Development Board is no longer in existence but this statute has not been changed to reflect that action.)

The statute also provides the Council with powers to execute its duties. The Council may request a status report from any state agency or authority implementing a solid waste reduction, recovery, or recycling program; and the Council may create subcommittees to assist in its work. A subcommittee can be formed from individual Council members, state employees, county and municipality representatives, and others.

State Agencies’ Obligations to the Council on Recycling
Section 287.22(4), Wis. Stats., requires state agencies to assist the Council in fulfilling its duties to the fullest extent.

The Council has discussed numerous recycling issues since its inception. Many issues have been discussed for informational purposes and have not required or generated specific action by the Council. On issues where the Council has chosen to take action through the adoption of a recommendation, the approach has been to communicate that position to the Governor’s office, the Legislature, state agencies and/or other interested parties.

Activities of the Council, 2010
Discussion of past activities and the positions taken by the Council in 2010 are summarized below. This summary is based on information discussed before the Council at its regular meetings and contained in the minutes. All meeting minutes are public records and are available from the Bureau of Waste & Materials Management, Department of Natural Resources or at: http://dnr.wi.gov/org/aw/wm/recycle/council/
Overview
The Council met four times in 2010. The Council met in Appleton, Ashwaubenon, Madison and Wisconsin Dells.

The Council is part of the Department of Natural Resources GovDelivery system. Agendas, minutes and background materials are posted on the site and over 1000 subscribers are automatically notified when new material is posted. This is one of the ways the Council keeps organizations and individuals around the state informed of the Council's activities and to invite input to our meetings.

Major topics addressed in 2010:

The Council focused on these major areas in 2010:
- Computers, televisions and other electronics
- Mercury in products
- Paper
- Producer Responsibility
- Strategic planning
- Used oil filters and absorbents

The Council also continued to support the recommendations of the Governor's Task Force on Waste Materials Recovery and Disposal. Three Council members were on the Task Force.

Computers, Televisions and other Electronics- Rick Meyers:

The Council strongly supported the E-Cycle Wisconsin legislation that was passed by the legislature and signed by Governor Doyle. The Council had begun discussion on this topic in 1998 and set up a task force to discuss the issue in 2001. The basic tenets of the task force report were part of the new legislation. The legislation, 2009 Wisconsin Act 50, establishes a product stewardship system whereby manufacturers of certain electronic products are obligated to recycle or arrange for the recycling of obsolete consumer electronics. Each year, recycling targets are established for each manufacturer based on the pounds of certain consumer electronics that it sold into the Wisconsin marketplace over a specified prior period. The law also bans certain electronics from Wisconsin landfills and incinerators after September 1, 2010. The Council was satisfied that the new law was well along the implementation stage. The Council decided to follow this issue but it will no longer be a priority.
Mercury in Products- John Reindl:

The Council supported legislation that was passed by the legislature and signed by Governor Doyle banning the sale of certain products containing mercury. The Council also supported expanding the current ban, banning the landfilling of mercury-containing products, and undertaking a product stewardship approach to mercury products. The Council reiterated that its focus was on mercury in products and not mercury from air-borne sources. The Council recognized that quite a bit of work was being done by a variety of different groups. For example, the DNR is working with the Wisconsin Dental Association, the EPA and the National Hospital Association on capturing dental amalgam mercury in dental clinics wastewater and medical instruments. Several Wisconsin communities have passed resolutions banning mercury devises from being sold in their jurisdictions. Many state, local and national groups are involved in this issue and some manufacturers are discontinuing the use of mercury in products, with automobile light switches and thermostats sold by Honeywell as two prime example of this movement. The business sector has also established take-back programs for mercury-containing products, including batteries and thermostats. The Council was confident that this trend would continue and reaffirmed its commitment to supporting stronger legislation covering more products.

Paper- John Reindl:

Avery Corporation has introduced a line of labels that meet the recycling compatible adhesives standards. Chair Reindl sent them a letter congratulating them for being a market and environmental leader

Product Stewardship:

The Council not only supported the E-Cycle Wisconsin legislation but also supported the concept of product stewardship as a preferred management method for a wide range of materials. Mercury, paint, pharmaceuticals and hazardous waste are all candidates for a product stewardship approach. The Council will continue to make this issue a priority.

Strategic Planning:

The Council used the concepts from their strategic planning process to determine priorities for 2010.

Used Oil Filters and Absorbents:

The Council began working on this legislation in 1998. Members participated in a Department of Commerce task force on the issue and had lobbied for passage of this legislation. The legislature passed and Governor Doyle signed a bill banning used oil filters and absorbents from being landfilled in Wisconsin after January 1, 2011. With the legislation now law, the Council will no longer have this issue as a priority. The Council will, however, continue to monitor the implementation of the new law. If necessary, the Council will advise and assist the DNR, county and municipal officials and the automotive service industry to promote the recycling of used automotive oil filters.
Other issues of Note:
The Council also discussed:
Changes in the quantity of out-of-state waste coming to Wisconsin landfills
Clean Sweep programs
Compost rules
Construction and demolition (C&D) waste
DNR budget requests approved by the Natural Resources Board
DNR glass workgroup participation
DNR waste characterization study
Education activities carried out by DNR
Implementation of the recommendations of the Governor’s Task Force on Waste Materials Recovery and Disposal
Market directory for recycling
Met with the Governor’s staff to exchange ideas
Opposition to transferring of funds from the Recycling Fund to other programs
Organic stability rule
Pharmaceuticals
State budget relating to recycling
State landfill tipping fee changes
Waste fiber recovery

PRIORITIES, 2011
The Council will use the lessons learned from its strategic planning process to guide future decisions on priorities. The priorities for 2011 include:
Ensuring that effective recycling is funded sustainably
Support the legislation recommended by the Single Use Plastics issue in particular, and product stewardship approaches in general, for materials recovery
Seek to implement the recommendations of the Governor’s Task Force on Waste Materials Recovery and Disposal
CONCLUDING THOUGHTS:

The Council on Recycling was pleased with the implementation of several issues it had been working on for many years.

The Council had been working on mercury issues since its inception in 1991. Passage of a ban on the sale of some mercury products was a strong step in finally controlling mercury discharges but further state legislative action is sought, particularly regarding disposal of mercury products.

The early indications are that the passage of a product stewardship approach to electronics is a huge success and could be the model for product stewardship legislation in Wisconsin. The Council had been working on this issue since 1998 and is proud of the results.

The passage of legislation banning used oil filters and absorbents from landfills beginning in 2011 was another success story of perseverance. The Council began work on this issue in 1998 and is gratified to see the law take effect.

It is clear that the Council will continue to serve as a forum for organizations and individuals to discuss the issues that matter to governmental bodies, companies, non-governmental organizations and individuals with an interest in recycling in Wisconsin. The Council will continue its statutory responsibility to give advice and will seek solutions for the challenges and take advantage of the opportunities facing recycling in Wisconsin today. The Council is looking forward to new challenges, especially in the areas of product stewardship, funding and implementing the rest of the Task Force recommendations.
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COUNCIL ON RECYCLING
2010

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