

Notes
WISCONSIN COUNCIL ON RECYCLING

Tuesday, March 7, 2025
Via Teams

<p>Council Members Present: John Anderson, David Keeling, Marty Oxman, David Pellitteri, Mark Walter, Jerry DeMers, Jarrod Holter</p> <p>DNR: Jennifer Semrau, Ruth O'Donnell, Sarah Murray, Kate Strom Hiorns, Michael Schmit, Jennifer Feyerherm</p> <p>Public: Susan Schuller, Recycling Connections; Antoinette Smith, Resource Recycling; Laura Stevens and Rick Meyers, City of Milwaukee; Jana Suriano, SCS Engineers; Kelly McDowell, WI Beverage Association; Chris Blan, Brown County; Tori Van Theil and Joseph Geiger, Essity; Justin Schroedel, Georgia Pacific; Leann Dickens, US Army; Madeleine Roberts</p> <p>Note- due to the call-in/virtual ability to join the meeting, some participants may not be properly identified above; omissions or errors are not intentional.</p>	
Call to Order	Meeting called to order at 10:01 a.m.
Introductions and Announcements	Council members, staff and guests introduced themselves.
Approval of Minutes (Dec. 2024)	Motion made by Mark Walter and seconded by Marty Oxman to approve the minutes of Dec. 3, 2024. Motion carried (7-0).
Election of Officers	Motion by John Anderson for the following slate of officers: Mark Walter, Chair; David Pellitteri, Vice Chair; Jarrod Holter, Secretary. Seconded by Jerry DeMers. No other nominations. Motion carried (7-0).
DNR/Legislative Updates	<p>Jennifer Semrau, DNR informed the council of various DNR staffing updates:</p> <ul style="list-style-type: none">• New: Melanie Burns, SE Region Waste Supervisor• Upcoming Recruitment: Hazardous Waste Management Specialist, Complaints Coordinator; E-cycle WI Coordinator• Departures: Ariana Mankerian, Recycling and Solid Waste Reporting Specialist (12/19) and Anne Ebent, NE Solid Waste Engineer (2/21) <p>J. Semrau, DNR informed the council of various Waste and Materials Management (WMM) program updates:</p> <ul style="list-style-type: none">• Reporting season<ul style="list-style-type: none">○ Infectious Waste (IW) released 1/21, was due 3/1○ Material Recovery Facility (MRF) released 2/24, due 3/30○ Responsible Unit (RU) released mid to late Mar, due 4/30• The DNR is working with its Waste and Materials Management (WMM) Study Group to assess existing procedures that impact WMM program customers and determine potential ways to streamline and improve efficiency. The department wants to learn from partner efficiency examples and incorporate ideas into its plan review, reporting, inspection and other regulatory procedures.• DOE Battery Grant – Charging Up Wisconsin Battery Recycling<ul style="list-style-type: none">○ U.S. Department of Energy announced the WDNR is one of seven state and local government agencies selected for

	<p>negotiation of award to receive funding for battery collection and recycling projects.</p> <ul style="list-style-type: none"> ○ Applied for just under \$1.6 million in federal funding (50% match). ○ Will use DOE funds to expand the DNR's statewide outreach program and allow E-Cycle WI Electronics Collection Grant program recipients to add battery collection to their sites and events. ○ DNR would also use DOE funds to cover 50% of battery collection costs for sites or events in Justice40 communities or in counties without a battery collection location. ○ Read the U.S. DOE press release ○ No news on project since Jan. <p>J. Semrau, DNR informed the council of various upcoming events:</p> <ul style="list-style-type: none"> • 3/25 Wisconsin Beverage Association Annual Meeting, Madison (DNR presenting) • 5/1 9am WMM Study Group Meeting. Agenda and more information will be posted at Waste and Materials Management Study Group Wisconsin DNR. <ul style="list-style-type: none"> ○ Seeking nominations (including self-nominations) for a compost operator to join the WMM Study Group. Nominations due 3/31. <p>J. Semrau, DNR informed the council of various legislative/rulemaking updates:</p> <ul style="list-style-type: none"> • Recycling Rule & Hazardous Waste Rules are currently being reviewed by legislative committees. Staff met with the co-chair of the Senate Natural Resources Committee to address a few questions on recycling rule. Staff are also reviewing existing publications, web pages and guidance docs and considering what needs to be edited or created. • WA-11-22 Landfill Design and Operation and Solid Waste Fees Rule <ul style="list-style-type: none"> ○ Gov's office approved the landfill rule last Friday, 2/28 and it was referred over to the Legislature this week. • Municipal landfill OFR rule (WA-07-24E, WA-08-24) – DNR directed by 2023 WI Act 107 to conduct emergency rulemaking <ul style="list-style-type: none"> ○ Had a public hearing (2/5) on the municipal OFR emergency and permanent rules together in January. Staff are tweaking a bit of minor language based on comments now. A few landfills have been approved to use the new OFR method and a few more have either submitted requests or have indicated interest. Was effective 11/15/24 • NR 502 Non-landfill SW code <ul style="list-style-type: none"> ○ Scope statement was approved by NRB 2/26 ○ Now in rule drafting period (until approx. March 2026) ○ Multiple opportunities for public comment, including a feedback session at WIRMC • 2023 WI Act 108 directed DNR to do E-cycle rulemaking to codify guidance on criteria department uses to determine if “good faith progress” is made towards meeting manufacturer targets (which allows for manufacturers to avoid shortfall fees)
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	<ul style="list-style-type: none"> ○ The proposed rule seeks to address issues in three areas related to the state’s electronics recycling law and E-Cycle Wisconsin program. First, changes to s. 287.17, Wis. Stats., enacted in March 2024 from 2023 Wisconsin Act 108, require rulemaking for full implementation. Second, the DNR has identified issues with electronics collectors inaccurately reporting information about collection sites they do not directly operate. Third, improper disposal of rechargeable batteries and battery-containing devices has caused hundreds of fires in Wisconsin garbage and recycling trucks and facilities. ○ To address these issues, the proposed rule would do the following: <ul style="list-style-type: none"> ▪ Consistent with requirements established under 2023 Wisconsin Act 108, codify procedures for calculating and assigning electronics manufacturers’ annual recycling targets. This includes addressing requirements for manufacturers that register in the middle of a program year and changes to manufacturer-reported sales data used to calculate targets. ▪ As directed by 2023 Wisconsin Act 108, establish criteria for what will constitute “good faith progress” toward meeting a manufacturer’s recycling target, and for how a manufacturer can demonstrate good faith progress. ▪ Clarify registration and reporting requirements for electronics collectors. ▪ To reduce the fire risk posed by devices powered by rechargeable batteries during garbage and recycling collection and processing, consider whether additional types of these devices should be included as eligible electronic devices under E-Cycle Wisconsin. Eligible devices can be recycled to meet a manufacturer’s recycling target, but manufacturers are not required to register these types of devices. ○ NRB (at 2/26 meeting) authorized DNR to hold a public hearing on proposed scope statement ○ Public hearing held today, 3/7 at 9am
<p>Environmental Management Account/Recycling Tip Fee Report</p> <p>Slides</p>	<p>Michael Schmit, DNR provided the council with a presentation on the Environmental Management Account, including recycling tip fee revenue, spending authority, and expenditures, with a focus on the recycling grants. (Link to slides at left.) Jerry DeMers asked how much federal grant funding the program receives and if there are back-up plans. While the recycling program itself does not receive any federal funding, the waste program is the recipient of federal funding including the SWIFR (Solid Waste Infrastructure for Recycling) grant for food waste diversion, CCR (Coal Combustion Residuals) funding, DOE Battery Grant (waiting to hear if funding will be received) and Hazardous Waste (RCRA Subtitle C funding, also waiting to hear). Kate Strom Hiorns said generally speaking, we are operating status quo until we hear otherwise.</p>

<p>Every Bottle Back Initiative</p> <p>Slides</p>	<p>Kelly McDowell, Wisconsin Beverage Association provided the council with a presentation on the American Beverage Association’s Every Bottle Back Initiative which describes their bottles as “made to be remade.” (Link to slides at left.) The program is focusing on raising awareness through education and supporting recycling, including improving recycling infrastructure. Two projects in Wisconsin, one in Kenosha and one in Polk County, were highlighted.</p> <p>M. Walter asked if there have been measurable results from the Every Bottle Back initiative. K. McDowell said the industry’s plastic footprint has declined 7.7% and there is 92% compliance with recycling guidelines. There has been an uptick in plastic recycling since COVID with PETE reaching a 31% recycling rate in 2022. J. Anderson asked if Every Bottle Back includes two-liter bottles. A: Yes. M. Walter asked if changes in market import/export are expected to impact raw materials. A: There might be a small increase in price of aluminum which could cause shift from aluminum to PETE, but this is not expected to be significant. Rick Meyers asked if there is any activity on refillables? A: No, refillables are not a part of Every Bottle Back. M. Walter said refillables could be a future agenda topic. Antoinette Smith noted articles on tariff impacts are available via <i>Resource Recycling</i> magazine.</p>
<p>Food Waste Diversion Update</p> <p>Slides</p>	<p>Ruth O’Donnell, DNR provided the council with a food waste diversion update (link to slides at left). Topics covered included updates on the EPA SWIFR (Solid Waste Infrastructure For Recycling) grant activities, communication and outreach and new resources. R. O’Donnell did note that her position is federally funded.</p>
<p>Battery Legislative Discussion/Potential Action by Council</p>	<p>M. Walter, Brown County/Council Chair provided a high-level overview of the draft legislation being worked on. The bill would set up a program similar to E-cycle WI, where electronics manufacturers fund education, collection and recycling of their products, so too would battery manufacturers fund battery education, collection and recycling. Portable and medium format batteries would be included, with lead acid and electric vehicle batteries excluded. The bill would set up a stewardship organization paid for by producers. Producers must be a member to sell in the state. The bill also includes requirements for an annual plan, education and oversight by the DNR. Finally, the bill would establish a grant program for fire suppression equipment at MRFs and solid waste facilities.</p> <p>D. Pellitteri, chair of the National Waste and Recycling Association (NWRA) WI chapter said NWRA is behind the bill. NWRA is trying to overcome political challenges, and it is anticipated the bill will not be introduced until after the budget is complete (July/August). The bill is serving as a model for other states. D. Pellitteri said the bill is a safety bill. There are too many fires caused by improperly disposed of batteries and additional battery collection and recycling is needed. Bill sponsors are requiring sign-off from WI Manufacturers and Commerce (WMC). WMC is not supportive of the current definition of manufacturer. In the Portable Battery Recycling Association (PBRA) model bill, if the battery manufacturer cannot be identified, the retailer is the manufacturer. The bill needs to include a path to avoid small retailers being designated as a manufacturer. NWRA is working on re-writes and will share when WMC has approved.</p>

	M. Walter asked if Rayovac is participating. D. Pellitteri said PBRA represents battery manufacturers. M. Walter stated it is good there is support from each side of the aisle. David Keeling said there is a lot of work on extended producer responsibility across the states. A common issue is concern for retailers; however, legislation has to address free riders. Circular Action Alliance (CAA) has used a tiered approach with less than \$5 million in sales exempt. D. Pellitteri said they are looking at that language.
Priority Issue Discussion: Market Development	M. Walter, Brown County/Council Chair reminded the council that the second highest priority issue as a result of the council's prioritization exercise was market development. Included under the market development topic was transportation, end of life for green technology (solar, electric vehicles), textiles, paper, glass, plastics and microplastics. Are there speakers for future council meetings? D. Keeling asked if the DNR or WI Economic Development Corporation (WEDC) has a recycling market development specialist? J. Semrau said no (for both questions). D. Keeling said with a strong paper industry, we are positioned well as a state to expand. Antoinette Smith said <i>Resource Recycling's</i> parent company, Association of Plastics Recyclers (APR) has good resources on market updates.
Recycling Market Updates	M. Walter, Brown County/Council Chair shared all commodity values are up for March at the Tri-County MRF except OCC (old corrugated cardboard). Marty Oxman commented that upward direction of aluminum and natural HDPE could be due to economic uncertainty. D. Keeling said another issue is freight and trying to move into Canada before tariffs. Unsure if pricing will be affected even if it's already shipped. Steel from China is low cost but at what environmental cost. More recycled cardboard capacity coming online with restarting of Biron mill. High steel commodity values also mean high cost of steel for roll-offs, equipment, etc.
Recycling Compliance Issues	J. Semrau, DNR said new recycling compliance issues received since the last meeting include: <ul style="list-style-type: none"> • Complaints or alleged compliance issues at multi-family properties or non-residential properties in Marshfield. • Complaints or alleged compliance issues with hauler mixing recyclables with trash in Kenosha County.
Public Comment	No comments
Other Business	None
Next Meeting/Topics/ Locations	M. Walter, Brown County/Council Chair said the next meeting is June 6, in-person. Looking for tour/location suggestions. Past locations have included GFL and Outagamie County MRFs, Liberty Tire, SMI and Green Bay Packaging. Also suggested have been Charter Steel, Veolia HHW and Pellitteri Waste System. J. Semrau will email council and seek feedback on June location.
Adjourn	Motion to adjourn made by Jarrod Holter, seconded by John Anderson. Motion carried 7-0. Meeting adjourned at 11:59 a.m.