

WASTE & MATERIALS MANAGEMENT STUDY GROUP – Notes: February 3, 2022

Location: Zoom

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

Guests: 13 additional attendees listened using Zoom

DNR WA Attendance: Bekta, Dubruiel, Joosten, Kruszynski, Lamensky, Morris, Murray, Semrau, Sholly, Strom Hiorns, Wolbert

Time/ Presenter	Topic	
9:30	Welcome	December notes approved as is.
9:40 Wolbert	DNR Updates	<p>Staffing</p> <ul style="list-style-type: none"> Waste and Materials Management (WA) Program is fully operating but has 8 vacancies. New vacancies are hazardous waste (hw) specialist, Wausau; solid waste specialist and complaints coordinator, Wausau; business support and information technology (IT) section chief, Madison. The WA Program is close to posting positions for an environmental program associate in Eau Claire, an engineer in Eau Claire, and a hw policy position in Madison. IT staff is being consolidated to the Division level but we don't anticipate service changes. <p>Budget</p> <ul style="list-style-type: none"> Digitizing paper files is a large expense that will save space and increase efficiency when sending, saving and providing records. Record retention requirements are 80 years. Northeast Region (NER) is going first, and it is working well. Meleesa: Are you anticipating having to make budget cuts? Brad: Just balancing cautiously until the section chief position is filled. Inflation is a concern. Funding has been constant since last fee increase in 2006/07 but inflation is eroding it along with an increase in fee exemptions. Meleesa: Is digitizing out of the operational budget? Brad: Yes, we don't have a program capital budget. Bart: Will we be able to request digital records in NER soon? Brad: Yes, in NER. Chad: Are you looking at raising the tipping fee? Brad: No, it's in Statute however the value of the surcharge has eroded 51% with inflation since the last update in 2006. <p>Rules</p> <ul style="list-style-type: none"> The e-cycle rule is to its final step, review by the legislative committee. The coal combustion residual rule proposal just went through the Natural Resources Board. NR 544, Wisconsin administrative code (recycling responsible units) is in the queue based on the legislative audit results. A new rule also must be written based on new legislation that was passed for dredge disposal.

		<p>Emergency and permanent rule writing are both required by certain dates.</p> <ul style="list-style-type: none"> • Hazardous waste needs to update rules to match federal standards. • Lynn: When will the e-cycle rule updates be in effect? Sarah: We expect early summer. <p>Legislation:</p> <ul style="list-style-type: none"> • A bill to fund waste removed in NW Wisconsin as part of the 5R company bankruptcy has been introduced in both houses. • A bill to extend OFR net worth tests to municipalities has also been introduced. • Dredge legislation that passed recently (Act 93) will exempt the state tipping fee for soil and dredge and requires a hearing in the of disposal County instead of the disposal City when placing PCB for dredge with any concentration of heavy metals. • Meleesa: Has there been any discussion of funding from 5R going to the Environmental Repair Fund? Brad: There were 4 offenders. 1 died, 2 were sentenced and 1 is paying restitution of \$130/month to the Waste Program which will take a long time for Program investments to break even. One more trial is happening. If restitution required, the Program would recommend fund go to the Environmental Fund. • Federal legislation for some waste initiatives through the Bipartisan Infrastructure Bill. Money will likely come through grant applications to EPA which EPA is working on establishing parameters for. <p>WMM study group news:</p> <ul style="list-style-type: none"> • Karin has stepped down. AROW is seeking internal nominations to send to the Governor’s office for appointment. • Meleesa and Chad ready to step down as Co-chairs. Bart and Lynn volunteered to become new chairs and were elected (7/7 affirmative votes). <p>Waste and Materials Management Program news:</p> <ul style="list-style-type: none"> • Currently in annual reporting season landfills, material recovery facilities, responsible units. Landfill 4th quarter and annual reports and relicensing have been combined and made electronic. • Tim: Can you send notices to a secondary contact for a specific companies’ sites in addition to each site’s primary contact? - Yes
<p>10:30 Semrau and Strom Hiorns</p>	<p>Overview of draft recycling rulemaking elements and opportunity for board member comments</p>	<p>Feedback q: Do we need data from non Responsible Unit (RU) Material Recovery Facilities (MRFs)?</p> <ul style="list-style-type: none"> • Lynn: Collecting from RU MRFs only was to minimize double counting. • Bart: Would they report to RU or DNR? Jennifer: DNR • Meleesa: Aluminum recycling is being missed because of collection facilities <p>Feedback q: How can we specify “adequate separate containers” for recycling?</p> <ul style="list-style-type: none"> • Lynn: Offer the chance for users to self-certify. I do not recommend requiring a certain frequency. • Tim: Commercial generators won’t have consistent recycling to trash rates. • Jennifer: As an example, an apartment complex that has 10 trash dumpsters and 2 recycling dumpsters with complaints on recycling constraints. Is that adequate? • Bart: How would it be enforced? There are limits to what an RU can check.

		<ul style="list-style-type: none"> • Rick Eilertson: Maybe not something to require in code but based on experience working for an RU guidance would be very helpful. I have an example where a facility originally had 7 recycling dumpsters and pulled them. When the RU fined them, they brought back a single cart and there was nothing more that could be done to enforce. • Dave: In Madison equal recycling and trash dumpster volume is the trend. <p>Feedback q: Is monthly curbside collection adequate? If an RU “provides” subscription service should they also be required to maintain a drop off?</p> <ul style="list-style-type: none"> • Lynn: If the RU is meeting the standard then I would not recommend additional requirement but could require it if they are not. • Dave: You could require if they are in the bottom 20% of recycling rates per capita. • Meleesa: Requiring recycling as a percent waste could also encourage organics diversion. <p>Feedback q: Can we encourage food waste education to be disseminated by RUs like RUs are required to educate on e-cycle?</p> <ul style="list-style-type: none"> • Lynn: Food waste reduction should be a communication plan lead by state. Jennifer: Agreed, for people who don’t see DNR education does outreach distribution generated by the DNR from RU help? • Rick Eilertson: Doing a waste sort was really impactful for his RU (Fitchburg).
<p>10:50 all</p>	<p>NR 500-599 Administrative Code Pre-Scoping Input Discussion, incl. landfill liners Call for Study Group member(s) to lead and plan subcommittee focused on alternate landfill liners and related code</p>	<p>A discussion was had on recommendations with notes on technical recommendations taken by the WA Program members directly involved (Bekta, Dubruiel, Joosten, Kruszynski, Lamensky, Morris, Murray, Semrau, Sholly, Strom Hiorns, Wolbert were present). General discussion included:</p> <ul style="list-style-type: none"> • Tim: Is there a time frame? Brad: We would take input and put into scoping statement. Scope needs to be passed by the Natural Resources Board which is where there is a public comment period. The legislature can require a hearing with another public input opportunity. • Kate: The plan to break up NR 500 series into separate chunks. There is a plan to sit down with Lee Daniels and Tim and invite study group members on details • Tim: Would like to see focus on putting white papers and decisions into rule • Bart: Will a technical advisory committee (TAC) be writing the first draft or will DNR writing it with external comments after? Brad: We may have a combination of options. I’m in support of TACs but they worked before 30 month rules were in play. We will write scope first and then move forward from there. Bart: It’s easier to write than to change with comments. • Lynn: I saw environmental justice as a topic. What are you looking for? Kate: The Program needs to see things through an environmental justice lens and will consider that through the rule write up but there are currently no specifics.
<p>11:20 Johnson</p>	<p>Recycling and Diversion</p>	<p>Skipped Meleesa and Chad had to leave at 11:30.</p>

	Subcommittee Update	
<p>11:40 Wolbert, Strom Hiorns and Lamensky</p>	<p>DNR's draft food waste prevention and reduction plans for 2022 and opportunity for board member comments</p>	<div data-bbox="772 235 913 316" data-label="Image"> <p>wmm study group food waste plan.pdf</p> </div> <ul style="list-style-type: none"> • Jessica Hanson: Winnebago County's biggest food waste hurdle is having available infrastructure.
<p>11:50</p>	<p>Closing</p>	<ul style="list-style-type: none"> • Next meeting: May 2022