

**Solid Waste Advisory Committee/ Recycling Fund Advisory Committee
Meeting Minutes of September 18, 2014**

The following members were present:

Michele Nestor, Chair
Eli Brill
James (Jim) Close
Richard Fox (for Senator Yudichak)
John Frederick
Representative Matt Gabler
Joyce Hatala
Ernest (Ernie) Larson
Tanya McCoy-Caretti
Adam Pankake (for Senator Yaw)
Gregg Pearson
Mark Pedersen
Joseph (Joe) Reinhart
Michele Tate
Edward (Ed) Vogel
Robert (Bob) Watts, Vice-Chair
Gerald (Jerry) Zona

The following members were absent:

Robert Casselberry
Albert (Al) Wurth

The following guests were present:

Keith Ashley	Department of Environmental Protection (DEP) Bureau of Waste Management (BWM)
Matt Blascovich	Department of General Services (DGS)
Mary Anne Botte	Webber Associates
Bob Bylone	Recycling Markets Center (RMC)
Katherine Hetherington Cunfer	DEP Office of External Affairs
Dawn Hopp	DEP Bureau of Office Services
Ryan Ingham	Hough Associates
Georgia Kagle	DEP BWM
Jeff Kapolka	First Energy
Andrew Lutz	Pennsylvania Turnpike Commission
Jeff McNelly	ARIPPA
Ali Tarquino Morris	DEP BWM
Marsha Noble	DEP BWM
Winnie O’Kello	Pennsylvania Department of Transportation (PennDOT)
Lisa Schaefer	County Commissioners Association of Pennsylvania
Charlie Scheidler	DEP BWM
Steve Socash	DEP BWM
Mary Beth Stringent	DGS
Scott Walters	DEP BWM

Call to Order; Introduction of Members and Guests; Approval of Minutes of March 6 and June 5, 2014; Old Business

The September 18, 2014, meeting of the Solid Waste Advisory Committee (SWAC) and the Recycling Fund Advisory Committee (RFAC) was called to order at 10:08 a.m. by Michele Nestor, Chair. Ms. Nestor asked for introductions of committee members and guests. Adam Pankake attended on behalf of Senator Gene Yaw, and Richard Fox attended on behalf of Senator John Yudichak.

With the consensus of those in attendance, the meeting proceeded with the RFAC action items; the minutes from previous meetings were approved after the RFAC items were addressed.

RECYCLING FUND ADVISORY COMMITTEE

Review of FY 2013-2014 Recycling Fund Expenditures

Larry Holley, Chief of BWM's Division of Waste Minimization and Planning, presented the 2013-2014 Recycling Fund Expenditures. Mr. Holley reviewed the 901 grants (Planning Grants), 902 grants (Recycling Program Development and Implementation Grants) and 904 grants (Municipal Recycling Program Performance Grants). Handouts on the expenditures were provided to the committee.

In response to a question about the number of curbside recycling programs participating in DEP's grant programs, Mr. Holley stated that out of 650 voluntary, non-mandated municipal curbside recycling programs, approximately 450 have participated in DEP's grant programs.

Committee members noted that the reported tonnages for recyclable materials appear to be decreasing in some geographic regions of the state, whereas other geographic areas reported tonnages that were higher than expected. The committee discussed that the inconsistencies may be due to several factors including the following:

- 1) Inaccurate reporting;
- 2) Special projects generating large amounts of recyclables in a single calendar year; or
- 3) Changes in the composition of waste streams due to the use of lighter materials in consumer products, causing reported tonnages of recycled materials to decrease even though the volume of recyclable material collected has increased (i.e., increases in the amount of plastics used and the use of thinner glass and aluminum in packaging materials).

Public Education and Technical Assistance Expenditures

Mr. Holley presented a breakdown of the Public Education and Technical Assistance Expenditures from the Recycling Fund for FY 2015-2016. The total appropriation for Public Education & Technical Assistance is \$4,104,000, which includes the following:

- 1) Recycling/Covered Device Recycling Act (CDRA) Hotline;
- 2) Commonwealth Recycling Implementation and Data Collection;
- 3) Funding for the Recycling Markets Center;
- 4) Funding for Convenience Centers;
- 5) Memorandums of Understanding (MOU) with the Dept. of Community & Economic Development, the Dept. of General Services and the Dept. of Transportation; and
- 6) Household Hazardous Waste (HHW), Act 190, Funding.

Mr. Holley explained that the Professional Recyclers of Pennsylvania (PROP) Continuing Education and Technical Training Program item is listed as “to be determined” because the current contract with PROP expires in Spring 2015, and DEP is evaluating online options for training, as opposed to classroom training that is currently being provided by PROP, as well as implementing some newly developed coursework and topics.

The Convenience Centers line item is a new grant program that DEP is considering to target geographic areas that have difficulty accessing or no access to recycling opportunities. An overview of the current concept being considered was presented in the latter portion of the meeting.

Michele Nestor commented on a survey conducted by Penn State and Keep Pennsylvania Beautiful to evaluate the correlation between illegal dumping and an individual’s access to recycling and curbside waste collection across the state. The report showed that 41.5% of individuals residing in rural areas that have access to curbside municipal waste collection services do not have access to disposal options for bulk items, such as white goods, appliances, couches, mattresses, etc. The survey also showed a correlation between those areas and illegal dumping.

The committee members inquired about the “Dept. of Education” line item, which was listed as “to be determined” in lieu of a dollar amount. Mr. Holley explained that the MOU between DEP and the Dept. of Education was terminated by the Dept. of Education. While DEP does not expect any expenditure to the Dept. of Education for FY 2015-2016, DEP is evaluating whether the MOU will be executed in subsequent years. Several members expressed disappointment with the MOU’s termination, citing that the Dept. of Education plays an important role in educating school students about recycling.

Committee members also requested clarification on the total appropriation amount of \$4,104,000 for Public Education and Technical Assistance expenditures, since multiple line items were marked “to be determined.” Mr. Holley explained that in the event that some line items marked as “to be determined” require funding, other line items may fluctuate to allow the total appropriation to cover all expenditures listed.

Action Item: FY 2015-2016 Recycling Fund Spending Plan

Mr. Holley reviewed the Comparative Financial Statement and the planned expenses for FY 2015-2016. Handouts were provided to the committee members.

Representative Matt Gabler discussed some of the issues experienced in Elk County relating to the recycling of electronics. Representative Gabler asked Mr. Holley if DEP had concerns in implementing the requirements of the CDRA. Mr. Holley explained that manufacturers of covered devices are required to provide no-cost recycling opportunities for the covered devices that they sell in Pennsylvania. A small percentage of manufacturers are not in compliance with the requirement.

Ed Vogel made a motion to approve the proposed spending plan; Mark Pedersen seconded. John Frederick opposed the motion due to the absence of dedicated funding to PROP and that he was opposed to funding the PDE because of their persistent inaction in prior years. All remaining committee members were in favor. The motion carried and was granted.

In closing, Larry Holley commented that DEP is committed to exploring new and innovative ways to recycle and promote waste reduction activities.

SOLID WASTE ADVISORY COMMITTEE

Joyce Hatala made a motion to approve the March 6, 2014, meeting minutes, which was seconded by Ed Vogel. The motion carried. John Frederick motioned to approve the June 5, 2014, meeting minutes; Jerry Zona seconded, and the motion carried.

Update: Recycling Convenience Center Grant Program

Todd Pejack, of BWM's Division of Waste Minimization and Planning, provided an overview of a Recycling Convenience Center (CC) Grant Program that is being considered by DEP. The program aims to encourage the construction of CC's to provide a collection point for recyclables in rural areas. The currently proposed concept provides \$100,000 to \$500,000 in funding to establish up to two pilot projects in the program's first year. Counties or county solid waste authorities would be eligible to participate in the CC Grant Program. For each pilot project awarded a grant under the program, 80% of the construction and equipment costs could be funded. At a minimum, grant recipients would be required to accept fiber-based recyclable materials (i.e., paper and cardboard), metals, plastics, white goods, electronic wastes and bulk items. DEP also plans to require grant recipients to partner with the private sector for the processing and marketing of the materials and submit annual reports to track the amount of material collected by the CC and the facilities that received materials from the CC; provide a description of how the materials were marketed; and measure the frequency with which the CC was used. After a five-year demonstration period, DEP would require that all contract obligations under the grant be fulfilled, at which time the equipment purchased using grant monies would be fully owned by the grant recipient.

DEP hopes to finalize the program and begin its implementation in 2015. DEP may consider providing an opportunity for CC's to accept solid waste in addition to recyclable materials. DEP does not plan to include funding for the purchase of land, maintenance of the facility, or any processing of the materials accepted as part of the program.

In response to questions raised by the committee members, Mr. Holley explained that if a CC were authorized to accept solid waste, it would be limited to accepting bagged waste within a specified daily limit. The waste would be required to be contained in a roll-off container and transferred off-site for disposal within one week. The facilities would be required to accept source-separated recyclables to prevent the commingling of waste with recyclable material, and the CC's must employ on-site staff and security measures to prevent unauthorized dumping or mixing of waste.

The committee questioned the legality of allowing CC's to take solid waste without also requiring the facility to obtain a permit to operate as a transfer facility. Mr. Holley responded that DEP is still working through the issue. One option being considered by DEP is to allow CC's to combine their operation with an authorization under one of DEP's general permits.

Update on the Recycling Markets Center (RMC)

Bob Bylone, Executive Director of the RMC, gave an overview of RMC's formation, structure, programming, business assistance, applied commercialization research, work planning, student engagement, and successes.

The RMC was developed after the enactment of the 2002 amendments (Act 175) to the Municipal Waste Planning, Recycling and Waste Reduction Act (Act 101). Both statutes referenced the need for market development initiatives in Pennsylvania. An extensive recycling sustainability process contained in Act 175 directs DEP to develop a markets development center with Recycling Fund monies.

The RMC provides technical assistance, business assistance, industry outreach and programming; an enterprise portal to recycling markets information; and applied commercialization research. RMC's plan for the coming fiscal year includes the development of a Plastics Symposium, new website, markets information expansion, and CDRA data organization and analysis.

Update: Management of Fill Policy

Steven Socash, Chief of BWM's Division of Municipal and Residual Waste, provided an overview of DEP's planned revisions to its Management of Fill Policy. The planned revisions include modifications to Appendix B, which will align the clean fill standards with the levels provided in The Land Recycling and Environmental Remediation Standards Act, Act 2.

Several committee members raised concerns about the planned revisions to Appendix B and inquired if DEP considered whether materials that are currently classified as clean fill would no longer be considered clean fill under the proposed modification to Appendix B. Members also asserted that the levels included in DEP's planned revisions to Appendix B were calculated differently than the method used to calculate current levels. Mr. Socash indicated that DEP would explore these concerns with DEP's Act 2 Program and present additional information at the SWAC's next meeting. The committee suggested that the Cleanup Standards Science Advisory Board also review the planned revisions to the Management of Fill Policy.

In response to questions regarding the effect of the planned revisions to DEP's general permit authorizing the use of regulated fill, Mr. Socash explained that the planned revisions to Appendix B will not directly affect regulated fill but that DEP would modify the appropriate general permits where necessary.

Update: Department of General Services/DEP MOU

Matt Blascovich has replaced John Rarig with Department of General Services (DGS). Mr. Blascovich presented an update on the MOU between DGS and DEP, which provides DGS with Recycling Fund monies to help fund the Capital Complex Paper Recycling Program. For the FY 2013-2014, the program collected 1,622.40 tons of office paper, mixed paper, corrugated cardboard, newspaper, turnpike tickets and books. The program also collects and recycles metals, waste oil and antifreeze, batteries, pallets, toner cartridges, bottles and cans, plastic drums, ballasts, fluorescent lamps, tires and rubber scrap. Expenses for the fiscal year, including operational costs, personnel costs and fixed asset expenses, totaled \$431,352.76. In FY 2013-2014, DEP provided \$250,000 from the Recycling Fund to support DGS's statewide recycling programs through its MOU with DGS.

Update: PennDOT Strategic Recycling Program (SRP)

Winnie O’Kello, Civil Engineer with PennDOT, presented an update on the MOU between PennDOT and DEP. The four main objectives of the MOU are to:

- 1) Establish and implement a waste reduction program for materials used in PennDOT operations;
- 2) Continually review and revise existing procedures and specifications;
- 3) Evaluate materials that may be recycled in transportation and civil engineering applications; and
- 4) Employ procurement and contract bidding options encouraging the use of recycled materials.

The MOU, along with the Strategic Recycling Program (SRP), was developed in 1998 to evaluate recycling opportunities throughout the Commonwealth and implement those opportunities identified in PennDOT operations. The overall objectives of the SRP are to realize economic savings and environmental enhancement to PennDOT and the Commonwealth; continue development and improvement of pollution prevention, recycling, and energy efficiency efforts; and encourage sound environmental and sustainable management practices.

There are several factors critical to the program, including five key focus areas:

- 1) Research the use of recycled materials;
- 2) Develop specifications and user guidelines;
- 3) Successfully incorporate recycled materials into transportation-related projects;
- 4) Provide outreach on the results of projects; and
- 5) Provide technical assistance to contractors who will be using the materials.

Ms. O’Kello also discussed PennDOT’s recycling efforts through its Waste Audit Program, performed biannually to collect data on PennDOT’s generation of solid waste and recyclables and the associated costs; provide a big-picture evaluation of office waste management practices at PennDOT; measure the progress of solid waste management activities in PennDOT’s central and district offices; enable district offices to identify areas of improvement; increase employee awareness of recycling methods; and demonstrate PennDOT’s support and compliance with the Commonwealth’s overall recycling goals.

Public Comment; New Business

Michele Nestor discussed the committee’s meeting dates for 2015. The meeting dates have been scheduled as follows:

- 1) Thursday, January 15th
- 2) Thursday, April 2nd
- 3) Thursday, June 4th
- 4) Thursday, September 24th

She also noted that the consensus of the committee is to hold shorter meetings from 10 a.m. to 1:00 p.m., eliminating lunch breaks.

The meeting adjourned at 2:05 p.m., moved by Joyce Hatala, and seconded by Eli Brill.