

**Solid Waste and Recycling Fund Advisory Committees  
Meeting Minutes of September 13, 2012**

**The following members were present:**

Tanya McCoy-Caretti, Chair  
Robert (Bob) Bylone for Michele Nestor  
James (Jim) Close  
Richard Fox for Senator Yudichak's Office  
John Frederick  
Joyce Hatala  
Marjorie (Marge) Hughes for Eric Conrad  
Ernest (Ernie) Larson  
Mark Pedersen  
Joseph (Joe) Reinhart  
Edward (Ed) Vogel  
Gerald (Jerry) Zona

**The following members were absent:**

William (Bill) Ehrman  
Dr. Kathleen Patnode  
Charles "Skip" Raabe  
Dennis Winters  
Albert (Al) Wurth

**The following guests were present:**

Rocksroy Bailey	Apex Environmental, Inc.
James Erb	American Petroleum Institute (API)
Laura Henry	DEP Bureau of Waste Management (BWM)
Lawrence (Larry) Holley	DEP BWM
Georgia Kagle	DEP BWM
Marsha Lohr	DEP BWM
Tom Mainzer	Citizens Advisory Council (CAC)
Ali Tarquino Morris	DEP BWM
Gregg Pearson	York County Solid Waste Authority (SWA)
John Rarig	Department of General Services (DGS)
Lisa Schaefer	County Commissioners Association of Pennsylvania (CCAP)
Jamie Schell	DEP BWM
Dan Snowden	Pennsylvania Department of Transportation (PennDOT)
Christopher (Chris) Solloway	DEP BWM
Gail Swartz	DEP BWM
Michael (Mike) Texter	DEP BWM
Sharon Trostle	DEP Office of Waste, Air, Radiation and Remediation (WARR)
Steve Tucker	Lycoming County
Bob Watts	Chester County SWA
Mary Zeigler	DEP BWM

**Call to Order; Introduction of Members and Guests; Approval of Minutes**

The September 13, 2012, meeting of the Solid Waste and Recycling Fund Advisory Committees (SWAC/RFAC, respectively) was called to order at 10:20 a.m. by Tanya McCoy-Caretti, Chair. Ms. McCoy-Caretti asked the committee members and guests to introduce themselves. Bob Bylone served as proxy for Michele Nestor; Marjorie Hughes, Executive Director of the Citizens Advisory Council (CAC), served as proxy for new member Eric Conrad.

Tanya entertained a motion to approve the September 15, 2011, minutes. John Frederick motioned, Joyce Hatala seconded, and the motion carried.

Tanya announced that Dave Strong had resigned from the CAC and therefore would no longer be a member of SWAC. The CAC has replaced Mr. Strong with Eric Conrad to serve as the CAC representative on SWAC. Because Mr. Strong was also the Vice-Chair, Tanya opened the floor for a nomination for a new Vice-Chair to serve Mr. Strong's remaining term. John Frederick nominated Joyce Hatala. Jerry Zona seconded this motion. Ms. Hatala accepted the nomination, and the motion carried. Tanya stated she will send out an e-mail soliciting interest to elect or serve as the Nomination Committee Chair; this Committee is in charge of officer nominations next year.

**RECYCLING FUND ADVISORY COMMITTEE**

**Overview of the Memorandum of Understanding (MOU) between the Department of Transportation and DEP**  
Rocksroy Bailey, Environmental Scientist and Consultant for Apex Environmental, Inc., presented an overview of the PennDOT/DEP MOU with a PowerPoint presentation. The purpose of this MOU is 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 recycled materials use.

Mr. Bailey works with PennDOT on the Strategic Recycling Program (SRP), and he also provided information on current SRP projects for 2012 and project opportunities for the future. SRP's overall objectives are to realize economic savings and environmental enhancement, to continue developing and improving pollution prevention through recycling efforts, and to utilize sound environmental management practices. There are several factors critical to the program:

1. The use of recycled materials is cost competitive;
2. Recycled products utilized should perform as well or better than the conventional materials they replace;
3. Products utilized should be convenient in terms of quality and quality assurances; and
4. Effective communications between departments and citizens.

John Frederick inquired about roadside rest stop recycling. He stated that DEP had been presented with the opportunity to work with PennDOT on this, but PennDOT has not expressed interest in providing funding at this time. Mr. Frederick also stated that he has not observed an impact from the roadside mulch mats. He believes that the implementation of the mulch mats has not reduced the amount of roadside herbicide use.

Bob Bylone commented on the Recycling Markets Center's (RMC) work with roofing material, which is similar to what PennDOT has been doing with recycled materials. Larry Holley, Chief of the Division of Waste Minimization

and Planning, noted that PennDOT is amongst the top 5% of transportation departments in the U.S. in regard to use of recycled materials and commended PennDOT's work.

### **Overview of the MOU between the Department of General Services and DEP**

John Rarig, Commonwealth Recycling Coordinator with DGS, presented an overview of the DGS/DEP MOU. Mr. Rarig explained that of the \$250 million that was spent from the fund this past year, 85% paid for the salaries of the Recycling Coordinator and the four-member recycling crew; the remainder of the budget went to truck maintenance, office paper recycling, and fluorescent lamp and ballast recycling. His crew operates three trucks and collects recyclables at Commonwealth offices in the Harrisburg area.

The waste office paper collection is the most labor-intensive portion of the operation and generates the most revenue. Waste office paper is taken to a local vendor, and the revenue from the recycling, combined with the amount of money saved by not burning or burying it, totals approximately \$470,000.

Scrap materials collection is also a good source of revenue for Commonwealth agencies and generates over \$2 million annually. This money either gets directed back to the agencies that participate or into the General Fund. Materials collected include waste oil, ferrous scrap, aluminum scrap, batteries, electronic waste, and paper.

Other projects DGS is working on include the following:

1. Development of a statewide listing of approved computer recyclers.
2. Development of a statewide training program on recycling, with an emphasis on surplus.
3. Development of an online statewide reporting system for Commonwealth office buildings.

John Frederick inquired whether it would be helpful if DGS had the lease agreements of the buildings to see if recycling is required in the leasing agreement. Mr. Rarig stated it is something he will look into.

Bob Bylone asked about the amount of paper that is purchased yearly, so as to compare the amount that is recycled (outbound) versus the weight of paper that is purchased (inbound). Mr. Rarig did not have that information.

### **Overview of the MOU between the Department of Education and DEP**

Jack Farster, Director of Environmental Education with DEP, discussed the DEP's MOU with the Department of Education (DOE) from DEP's perspective.

Mr. Farster provided some background on the Environmental Education Center (EEC) over the past 30 years. In 1983, a master plan for Environmental Education was developed, where \$75,000 was provided through General Fund money to fund an office to assist teachers with K-12 environmental education programs. Stakeholders throughout Pennsylvania had input on the master plan. In 1989, the office added recycling education to the master plan. In 1993, the Environmental Education Advisory Council (EEAC) was developed and the EEC directed their funding to grant administration; this is where the MOU originated. In the late 1990s, the EEC made academic standards in environmental education subjects part of the formal assessment for schools.

Currently, the EEC seeks out resources to provide to schools to support recycling. The MOU between DEP and DOE is more than recycling; it also includes Chesapeake Bay funding and education, along with statewide watershed education, and Project Learning Tree.

John Frederick questioned the \$186,000 from the Recycling Fund earmarked for the MOU and asked how the funds are utilized. Mr. Farster stated that money from the Recycling Fund goes to recycling education and funding recycling programs in the schools to remove barriers to schools from within the community.

Joyce Hatala commented that the school boards and administrators also need to be educated about their own curriculums. She is concerned that they do not understand what their own programs entail.

#### **Review of FY 2011-2012 Recycling Fund Expenditures**

Larry Holley explained the expenditures from the Recycling Fund for Fiscal Year 2011-2012. Handouts on the Expenditures were distributed to the Committee.

Mr. Holley also reviewed the Comparative Financial Statement. Because of obligations under the Growing Greener Initiative, the DEP is required to disclose the financial statement, and the BWM wants to provide full disclosure of spending. The presentation broke down the expenditures for the following:

1. Reimbursement for Recycling Coordinator;
2. Reimbursement for Host Municipal Inspectors;
3. Reimbursement for host municipality review of permit applications;
4. Administration of recycling programs;
5. County Planning Grants;
6. Municipal Recycling Grants;
7. Municipal Recycling Performance Grants;
8. Public education/technical assistance; and
9. Transfer to the Used Tire Pile Remediation Account.

Mr. Holley then reviewed individual 901, 902 and 904 grants, including the multiple rounds of grants. He stated that the amount of Section 902 grants dispersed has decreased.

#### **Public Education and Technical Assistance Expenditures**

Mr. Holley covered the Public Education and Technical Assistance Expenditures from the Recycling Fund. These expenditures included the following:

1. Recycling/CDRA Hotline;
2. Professional Recyclers of Pennsylvania (PROP) Continuing Education and Technical Training;
3. Commonwealth Recycling Implementation and Data Collection; and
4. Glass Market Development Grants and the Recycling Market Development Center funding.

Mr. Holley broke from the expenditures discussion to invite Bob Bylone to discuss the Recycling Markets Center (RMC). The RMC is part of the Bureau's Growing Greener commitment to implement a market development center. Mr. Bylone stated that the funding received from DEP is focused toward the following:

1. Business and economic development activities;
2. Information outreach on market issues;
3. Translation of research;
4. Commercialization of recycling markets, infrastructure and processes; and
5. Programming activities.

RMC has recently paired with a company that engages in energy management and energy audits so RMC can assist other companies with their energy structure. The RMC also offers a monthly webinar series and will soon be presenting “Technology Tuesdays” webinars about upcoming materials handling and product development. The Center has also done a lot of work with the Covered Device Recycling Act (CDRA). The RMC staff is certified in multiple environmental management systems. Of the 24 facilities that collect covered devices, 16 have the system that allows them to comply with the CDRA. They also worked with companies who opened a recycling business recently in Berwick Industrial Park, also a Brownfields site.

Mr. Holley addressed the MOU between DEP and the Department of Community and Economic Development (DCED), which is a technical assistance program offered to local governments for free consulting to improve their recycling and/or composting programs. The DOE, DGS, and PennDOT MOUs, which were discussed earlier in the meeting, are also included in the Public Education and Technical Assistance Expenditures of the Recycling Fund.

**Action Item: FY 2013-2014 Recycling Fund Spending Plan**

Mr. Holley presented the proposed spending plan for the coming fiscal year, and detailed the Comparative Financial Statement, including more specifics on 901, 902 and 904 grants and the Bureau’s expectations for the upcoming year. Tanya McCoy-Caretti opened the floor for any questions on the spending plan.

Joyce Hatala questioned the coverage for the Household Hazardous Waste (HHW) Program. Mr. Holley explained that the Department will be using Hazardous Sites Cleanup Act (HSCA) funds for HHW grants. This grant disperses \$100,000 per county per fiscal year.

John Frederick addressed revisiting some line items for PennDOT’s funding. He would like to focus on rest stops, clearing and grubbing, and sharing the completed waste audits with the SWAC.

Marge Hughes questioned DEP’s involvement in funding DGS’s recycling program, since DGS seems to be making a significant profit. Mr. Holley stated that the cost of the program equals the generated revenue, and the \$250,000 allotment in the spending plan is used to offset personnel costs.

Tanya asked for a motion to approve the additions to the spending plan. Joyce Hatala made the motion; it was seconded by Mark Peterson. The motion carried and was granted.

**Covered Device Recycling Act (CDRA)**

Larry Holley provided a brief discussion and overview of the Department’s implementation of the CDRA. He discussed the program’s status with implementation, the remaining tasks, the challenges faced, and what the future holds. So far, DEP has registered 56 manufacturers who have paid the required fee. DEP has approved 49 plans; there are five additional manufacturers who are working on a plan for 2012; two companies have failed to submit plans; and 29 companies have asked for exemptions.

The program is currently developing the second-year goal, which requires all manufacturers, in 2013, to recycle approximately 50% of the amount of devices reported sold in 2011. DEP still needs to create a penalty for those manufacturers that have not complied. This penalty will be calculated per pound of material and will cover the collection, transportation, and recycling of covered devices. The current challenges are:

1. Compelling retailers to stop selling covered devices that are not registered under the act;
2. Notifying the public of the landfill ban;

3. Educating the public about the recycling options for covered devices; and
4. Clarifying collection locations.

Ed Vogel inquired whether the ban applies only in Pennsylvania. Mr. Holley stated that a company would be in noncompliance from any state for accepting covered devices from PA and disposing of them against the Act.

John Frederick questioned how to handle a company that pulled out of the CDRA. Mr. Holley stated that one company met with the agency, explained their difficulties, and are honoring all of their commitments until October.

Joyce Hatala had a concern about CRTs and new investors coming into the business. Bob Bylone addressed her concern with his knowledge of the field.

### **SOLID WASTE ADVISORY COMMITTEE**

#### **Permit Review Process and Permit Decision Guarantee**

Ann Roda, Executive Assistant with Field Operations in DEP, gave a brief overview of DEP's two draft policies, which address the Governor's Executive Order. Both policies are open for public comment from September 1<sup>st</sup> through October 1<sup>st</sup>. The policies aim to improve the quality of applications received by DEP, and to improve clarity across the agency. The policy contains a new permit review hierarchy, and directs staff to look at permits for the core mission, then economic development. DEP has held two webinars recently on the policies.

#### **Public Comment; New Business**

After checking records regarding a comment made earlier in the meeting, Tanya entertained a motion to amend the previously approved September 15, 2011, meeting minutes. The minutes incorrectly indicated a unanimous vote to approve the Recycling Fund spending plan at the September 15, 2011, meeting; Skip Raabe had voted against approving the spending plan. John Frederick motioned and Joyce Hatala seconded. The motion carried. The September 15, 2011, meeting minutes were amended, and the corrected minutes will be posted to the SWAC and RFAC webpages.

Joyce Hatala addressed 902 grants and her concerns with wanting to see more cooperative agreements for these grants.

Ed Vogel talked of the large regulatory package the committee had previously addressed. Sharon Trostle, with DEP, stated that the Permit Review Process is DEP's main focus at the moment and that the package was not in current discussion. BWM has two regulatory packages in process now: Medical Waste and Waste Transportation Safety.

The meeting adjourned at 2 p.m.