

**Summary Minutes
Solid Waste Management Advisory Council (SWAC)
November 15, 2012
Lazarus Government Center
50 W. Town Street
Columbus, OH 43215**

The Following Members Announced Their Attendance at Roll Call:

Erv Ball, Health Departments
Thea Walsh, Ohio Development Services Agency
Jean Byrd, Public
Terrie TerMeer, Ohio EPA
Thomas Ferrell, Counties
Gary Simms, Private Recycling Industry
Matt Trokan, Statewide Environmental Advocacy Organizations
Christopher Valerian, Private Solid Waste Management Industry

Welcome and Introductions (Terrie TerMeer, Ohio EPA)

Ms. TerMeer addressed the group for the first time as the Ohio EPA Director's representative on SWAC. She related to the relocation of the programs at the former Division of Recycling and Litter Prevention at ODNR, which is now part of Ohio EPA. Most of the staff, and the grant programs, are combined with the Office of Environmental Education. Terrie is now overseeing the Materials and Conservation and Reuse group in the Division of Materials and Waste Management. The group includes Andrew Booker's solid waste management planning unit and will have additional focus on projects such as food waste and potential beneficial use of segregated waste streams. The grant program's focus remains the same and the transition should be relatively seamless for the grant applicants.

Review of the August 16, 2012 meeting minutes

Review of the August minutes was postponed since there was not a quorum present.

Recycling and Litter Prevention Advisory Council (RLPAC) overview and relationship to SWAC (Kimberly McConville - Ohio Soft Drink Association, RLPAC Chairperson)

Ms. McConville indicated that as executive director of the Ohio Soft Drink Association, she represents an industry with \$6 billion in economic impact in Ohio and is directly related to the employment of thousands of Ohioans. Her industry has a direct interest in public solid waste policy.

She related to the many achievements and challenges she has been a part of as a member of RLPAC over the years. These include the deliberations required when the

corporate franchise tax went away and was replaced with the C&DD fees – providing only about a third of the funds that used to be available. As a result, more partnerships have evolved and there is more connection between the programs that receive grants. It was noted that almost all of the projects that have been funded throughout the years are still on the ground today. The importance of having an advisory council, including a presence by the private sector, was instrumental in developing the necessary partnerships.

Other members of RLPAC were present and reiterated the usefulness of having the different parties at the same table, which allowed for things to get done. Not knowing what exactly will happen to RLPAC and SWAC through the legislative review process, it would be pertinent to keep that spirit in mind going forward.

SWAC member updates

Mr. Valerian related his experience dealing with 28 different states and the associated agencies dealing with solid waste policy. An example of how policies can drive recycling was provided. Some states have highway requirements for recycled shingle content in the asphalt. They created an end-market first, allowing his company to invest in an \$850,000 grinder. They likely would not have made that investment if an end-market was not guaranteed. It was also noted that the potential for re-use of wood is great because there are many entities seeking material (co-generation at power plants). The problem is with the non-homogeneous input of the material. Biomass feeder locations would allow the material to have a more predictable output.

A discussion ensued to clarify Ohio's measure of material diversion from landfills and how burning material for energy fits into the picture. The hierarchy of waste puts landfilling as the least preferable management method, energy recovery is next followed by recycling, reuse, minimization and prevention as the most preferred. The current methodology used for solid waste management planning in Ohio allows incineration to be counted for diversion minus the tons of ash produced. In addition to wood, there are a variety of projects looking at using plastics for co-generation power plants.

In response to concerns about emissions related to incineration of some waste streams, it is important to consider the whole picture. For a material such as wood, a great amount of methane is generated by decomposition in landfills. This should be taken into consideration when looking at the potential emissions from a waste-to-energy plant receiving C&DD wood waste. The overall carbon emissions are not as substantial with a waste-to-energy plant. Deconstruction projects, through which material from abandoned buildings is recycled prior to the demolition process, are becoming more common. These projects are providing incentives and more end-uses of C&DD materials.

It was related that Ohio currently allows tire derived fuel to be used as an alternative fuel source. Research has indicated that it burns cleaner than coal (at ideal conditions).

Another discussion brought up the new requirements for Ohio's scrap yards – including the requirement for all facilities to include a picture of each peddler bringing in material. More efforts should be made to ensure that the playing field is level because some of the smaller scrap yards are not complying. It was mentioned that Keep Ohio Beautiful is preparing a series of law enforcement training workshops for early 2013. Efforts will be made to include the new scrap yard requirements in the training.

It was related that the City of Columbus is nearing the final phase of its curbside recycling deployment. More work is still needed in the areas of multi-family housing, public venue recycling, and recycling for small businesses.

DMWM general and legislative update (Andrew Booker, OEPA-DMWM)

DMWM has been following up to the June, 2012 early stakeholder outreach regarding developing rules for beneficial use of industrial by products in Ohio.

The September advisory regarding the disposal of drilling-related waste streams at solid waste landfills was referenced as well. As oil and gas drilling activity in the Utica shale formation increases, licensed municipal solid waste landfills in Ohio and surrounding states should expect to see increased volumes of incoming solid wastes generated from the drilling process, including drill cuttings, drilling muds, and frac sands. DMWM continues to discuss with ODNR and ODH potential risks associated with these waste streams, which may include elevated levels of radiation and total dissolved solids. In addition, the interagency workgroup is clarifying regulatory jurisdictions that affect the management and disposal of drilling-related wastes. Given the anticipated increase in disposal of drilling wastes and interest of on-site solidification by landfill operators, DMWM issued the advisory to summarize regulatory programs administered by ODNR, ODH, and Ohio EPA. DMWM is currently in receipt of three requests from landfills to perform solidification activities involving drilling-related wastes.

DMWM also began sign-off on the interested party draft of the revisions to the infectious waste rules in OAC 3745-27. These draft rule changes are being made in response to Senate Bill 294 that eliminated Ohio EPA infectious waste transporter registrations and requirements.

Solid waste legislative review update (Andrew Booker and Christopher Germain, Ohio EPA-DMWM)

An overview of the four phase legislative review process was provided. Currently, Ohio EPA is still in Phase II, discussion and consensus-building. Copies of the H.B. 592 Review Issues List and draft Vision for Solid Waste Management in Ohio for 2035 and Beyond were provided.

There was discussion concerning some of the concepts in the vision statement. Matt Trokan indicated he liked the reference to zero waste goals. Gary Sims indicated he

liked the preference for the private sector and Chris Valerian did not like the indication that landfilling should be a last resort. Andrew indicated that it was not to suggest that landfills are bad, and Ohio EPA is proud of the level of protection they offer, but they are not without their problems. Many complaints are filed every year because of odor problems and the amount of time required for post closure (30 years) may not be adequate. Buried waste exists for a longer period and there is a realization that there may be further monitoring needs.

Some of the issues from the H.B. 592 Review Issues List were discussed. The benefits of having scrap tire amnesty days were debated as well as the role of health departments in landfill oversight (health department funding). Issues will be removed and/or added to the list as Ohio EPA moves through the process. The issues list will become more focused in the future.

The planned schedule for the legislative review process is to finish Phase II early 2013 and began Phase III in the spring. Ohio EPA will release formal proposals (white papers) in Phase II and a series of meetings will be held for public input and feedback. Revisions will be made and the proposals will be finalized. Phase IV will be the legislative initiative. It was clarified that the legislative changes would all likely be incorporated into one bill, but multiple white papers will be released.

SWAC members were encouraged to get involved in the legislative review process by participating in Phase II meetings, getting on the official listserv, and tuning into the information on the H.B. 592 Website. SWAC members were also encouraged to continue submitting written comments.

Greene County SWMD overview (Dana Storts, Director)

Ms. Storts related that her experience started in Warren County when the county divorced from being a multi-county SWMD with Clinton County. She started working at the Greene County SWMD (District) a few years ago. Greene County has a population of 163,000 and Beavercreek, Fairborn and Xenia are the largest municipalities. Notably, Wright Patterson Air Force Base is located in Greene County.

The center of District operations is the Greene County Recycling Complex in Xenia. The complex is used as a collection point for batteries, mercury, yard waste, and general recycling as well as special monthly collection events. The special collection events accept scrap metal, appliances, household hazardous waste and electronics. There are a number subscription and non-subscription curbside recycling programs in the District as well.

The District also offers an array of education and technical assistance programs. Scrap tire collections are also offered within the District and it provides portable recycling containers for events. The District is funded by a \$10/ton generation fee. Total revenue is about \$1.2 million annually.

Agenda items for the February 21, 2013 meeting at Ohio EPA Central Office

It was noted that Phoenix Technologies will be presenting on their use of post-consumer recycling in food grade plastics. Deconstruction of buildings/recycling of materials was mentioned as a potential topic since it has been brought up at a couple of meetings lately.

The meeting was adjourned.

Respectfully submitted: _____

Vice Chair

Minutes approved on: _____

Certified by: _____

Secretary