Summary Minutes
Solid Waste Management Advisory Council (SWAC)
November 20, 2003
High Banks Metro Park
9466 Columbus Pike
Lewis Center, OH 43035

Members in Attendance:

Erv Ball, Health Departments
Brad Biggs, ODOD's Director's Designee
James Gilliland, Counties
Karl Graham, Municipalities
Dan Harris, EPA's Director's Designee
Steve Hill, Industrial Generators
Ron Kolbash, ODNR Director's Designee
Sean Logan, Counties
Mike Long, Single County SWMDs
Dick Mavis, Municipalities
Antoinette Starkey, Private Recycling Industries
Joseph Sykes, Townships
Kathy Trent, Private Solid Waste Management
Tim Wasserman, Joint County SWMDs
Richard Williams, Townships

August 21,2003 Meeting Minutes Approved

The first order of business was to review and approve the meeting minutes from the meeting held on August 21, 2003. Mr. Ball clarified a statement that was reflected in the fourth paragraph on the second page of the draft August 21, 2003 minutes. The statement had to do with the retention or abdication of oversight for the C&DD program by local health districts. Mr. Ball wanted to clarify that several health districts have indicated that they may have no choice but to relinquish oversight over the C&DD program if they do not receive adequate funding to allow them to continue as the licensing authority. Mr. Ball wanted SWAC to understand that it is the lack of funding, not a lack of interest in retaining oversight for the C&DD program, that is driving this issue. Mr. Ball compared the health districts' current situation to that of Ohio EPA's situation prior to implementation of the state disposal fee. Mr. Ball reminded SWAC that, before the state disposal fee was authorized, Ohio EPA was struggling with finding the resources to adequately implement the solid waste program. This is the situation many health districts are in now.

Mr. Graham MOVED to approve the minutes, and Mike Long SECONDED the motion. The minutes were approved by voice vote.

Selection of SWAC Vice Chairperson and Secretary for 2004

Mr. Harris thanked Mr. Ball and Ms. Trent for their service as Vice Chairperson and Secretary, respectively. Mr. Harris pointed out that both Mr. Ball and Ms. Trent have expressed their willingness to continue in their respective capacities unless other members of SWAC are interested in these positions. Mr. Harris asked if there were any

members interested in either position. No members expressed such interest. Mr. Sykes MOVED to elect Mr. Ball as Vice Chairperson and Ms. Trent as Secretary, and Mr. Graham SECONDED the motion. Mr. Ball was selected as Vice Chairperson and Ms. Trent was selected as Secretary.

Update on Legislative/DSIWM Issues

Mr. Harris stated that there hasn't been much activity regarding pending or new solid waste legislation since the August 21st meeting. Mr. Harris mentioned that in the last meeting, he had expressed his anticipation that Representative Latta would introduce legislation that would affect the placement of local health districts on and the removal of local health districts from the Director's list of approved health districts for the C&DD and solid waste programs. This legislation has not yet been introduced, but Mr. Harris stated his belief that such legislation will be introduced shortly.

Mr. Harris informed SWAC that two bills regarding C&DD were introduced to the legislature recently. Both bills were introduced on August 12. One of the bills, Senate Bill 119, introduced by Senator Dann, has received sponsor testimony. The other bill, House Bill 259, was introduced by Representative Harwood. Mr. Harris stated that, to his knowledge, no hearings on either bill have been scheduled.

Mr. Harris informed SWAC that on September 2, 2003, the Environmental Review Appeals Commission received a notice of appeal regarding the residual solid waste landfill rules (Ohio Administrative Code Chapter 3745-30) which became effective on August 15, 2003. According to Mr. Harris, the appeal was filed on behalf of six electric companies. No detail regarding the basis for the appeal is available except that the appeal claims the Director acted unlawfully. To Mr. Harris's knowledge, no meetings regarding the appeal have been scheduled with the Attorney General's Office.

Mr. Harris provided an update regarding the Permit To Install (PTI) and Professional Engineer (PE) rule packages that became effective on October 17, 2003. Mr. Harris explained that all of Ohio EPA's PTI rules were formerly contained in one chapter of the OAC (OAC Chapter 3745-31). The Agency determined that it would be less confusing for the PTI rules for each media program to be separated out and included in the respective chapters of the OAC for those programs. Thus, the PTI rules for the solid and infectious waste program are now contained in OAC Rule 3745-27-02. Mr. Harris explained that the PE rules (OAC Rule 3745-27-99) were adopted to specify and clarify which documents that are required to be submitted under the solid and infectious waste program must be certified by a professional engineer prior to being submitted.

Mr. Harris stated that it is Ohio EPA's intent to file the infectious waste rule package with JCARR at the end of November 2003. Mr. Harris pointed out that this package is a refile, and, therefore, no public comment period was held for the package (a public hearing was held for the package as originally filed). A discussion concerning the nature of the changes to the infectious waste rules and the relationship between federal transportation requirements and Ohio's transportation requirements was held.

Mr. Harris informed SWAC that the Environmental Background Investigation Unit (EBIU) of the Attorney General's Office will be initiating the required 5-year review of

the regulations concerning background checks. The EBIU has a filing deadline of June 2005.

Mr. Logan aired a concern regarding a permit that was issued to a C&DD disposal facility to allow that facility to accept asbestos material for disposal. Mr. Logan was concerned that the local board of health was not notified prior to issuing the permit, and the public was not given the opportunity to comment. Mr. Harris explained that the C&DD law was adopted with a provision that allows C&DD facilities to accept asbestos provided the facility has obtained the appropriate permit in accordance with the air program. Mr. Logan was concerned that local boards of health were given primary responsibility for overseeing C&DD facilities, yet the air program has the ability to issue permits for those facilities without involving the board of health or local citizens. He expressed his belief that citizens should be given the opportunity to be aware of activities of local facilities. He also expressed his concern regarding the lack of communication amongst the agencies involved in issuing permits.

Mr. Harris informed SWAC that the Controlling Board approved a contract for the abatement of the McMasters scrap tire site in Portage County. This contract is for the removal of 1.5 million passenger tire equivalents (PTEs). Mr. Harris explained that this site is unique because the tires are submerged in a water-filled pit. Ohio EPA looked into dewatering the pit, but it was determined that this would be too costly. As a result, the contractor to whom the bid was awarded will be using drag lines to pull the tires out of the pit. As a result, explained Mr. Harris, the cost per tire of remediating this site will be higher than for other cleanups but that the cost is similar to those paid by other states for like cleanup efforts.

Mr. Harris also provided an update regarding the cleanup of the Kirby Tire Site. Liberty Tire Services of Ohio removed more than 361,000 PTEs during September. Mr. Harris reported that it appears as though the site will be cleaned up ahead of the previously projected completion date of 2011. Mr. Long inquired as to the destination of the remediated tires. Mr. Harris responded that all recovered tires are being recycled or reused in some manner. Mr. Harris specified that the majority are being used in leachate collection systems for landfills and that some are being used for tire-derived fuel.

Mr. Harris indicated that the Director is currently reviewing a report that details the performance of the scrap tire program. The report is intended to provide the media with information, but members of SWAC will receive copies of the report when it is released.

Mr. Graham volunteered that he knows of an opportunity for Ohio EPA to publicize the success of Ohio's tire program on a national level and encouraged Ohio EPA to take advantage of that opportunity.

Mr. Harris provided an update regarding the informal information sessions that were held with Energy and Environment Committee which is chaired by Senator Householder. According to Mr. Harris, three meetings were held, and the last meeting occurred in August. In addition to the presentation given by Mr. Harris, presentations were given by the Ohio Department of Natural Resources about recycling, Dirk Plessner and Gene Krebs on the County's perspective of the effects of House Bill 592, and Kit Cooper on C&DD. Mr. Harris explained that Ohio EPA doesn't know what the outcome

of these meetings will be but that Ohio EPA doesn't anticipate that significant changes will be made to the current solid waste planning program.

Mr. Harris informed SWAC that Ohio EPA is in the process of preparing solid waste management plans for two solid waste management districts - the Belmont Jefferson Solid Waste Authority and the Hancock County Solid Waste Management District. Ohio EPA is currently seeking public comment on both plans, and Ohio EPA anticipates that both plans will be finalized by early 2004.

Mr. Graham inquired as to whether the Ohio Revised Code afforded SWAC an oversight concerning the issuance of solid waste management plans by Ohio EPA. Andrew Booker explained that SWAC does not have express oversight over this aspect of the program, but that SWAC does assist Ohio EPA with the monitoring of implementation of the state solid waste management plan and, by association, implementation of local solid waste management plans.

Mr. Long asked if the Belmont Jefferson Solid Waste Authority (Authority) was intending to implement an improved parcel assessment to fund implementation of Ohio EPA's solid waste management plan. Mr. Booker responded that yes, that is the funding mechanism that the Authority has chosen to utilize. Mr. Booker also informed SWAC that the Belmont and Jefferson county commissioners were required, by statue, to hold and did hold three public hearings prior to levying the assessment, and that these hearings were lightly attended. Mr. Booker explained that the assessment being levied is relatively small when compared to those collected by other solid waste management districts. Mr. Booker also explained that there is the potential for a landfill to begin operating in the Authority and that there is an existing disposal fee that the Authority could collect if that happens. If the landfill begins operating, it is the intent of the commissioners to repeal the improved parcel assessment.

Mr. Long expressed his understanding that a solid waste management district had to provide services in order to collect an approved parcel assessment. Mr. Booker responded that the Authority will be using a portion of the revenues to implement curbside and drop-off collection programs.

Mr. Harris mentioned that all of the SWAC meeting dates for 2004 have been set. These dates are as follows: February 26, May 27, August 19, and November 18. All meetings will be held at the Highbanks Metro Park.

Mr. Harris informed SWAC that copies of Jan Voelker's presentation from the August 21st meeting regarding the waste characterization study are available and that members that desire a copy should contact Kevin Shoemaker. Mr. Harris stated that Ms. Voelker will be presenting the final results of the study at the February 26th meeting.

Ohio EPA distributed updated copies of the SWAC member list.

Mr. Harris reminded SWAC that each member should have received a copy of a letter that was addressed to the Director from Keith Bailey of the Delaware, Know, Marion, Morrow Joint Solid Waste Management District. Mr. Harris informed SWAC that Ohio EPA is in the process of drafting a response to Mr. Bailey, but that most of the issues discussed in the letter were addressed during the preparation of the *2001 State Solid*

Waste Management Plan. Mr. Harris stated that all SWAC members will be carbon copied on Ohio EPA's response.

Mr. Booker mentioned that the Buckeye Chapter of SWANA, in association with several other organizations, sponsored a conference regarding recycling and solid waste management in October and that Mr. Long had an update to provide about one of the outcomes of that conference. Mr. Long explained that one of the sessions held during the conference concerned reinventing Ohio's solid waste and recycling program. The 30 or 40 participants in the session were asked to brainstorm about what they would change about the program. SWANA will produce a white paper using these ideas and will distribute the paper to SWANA's members in the spring. Mr. Long explained that SWANA intends to reconvene the group to work on the ideas generated during the conference and that the outcome could be used as the basis for introducing changes to the solid waste statute. Mr. Long invited those interested in learning more to contact him.

Sue Bennet, District Coordinator, Wyandot County Solid Waste Management District - Recycling Programs of the Wyandot County SWMD

Ms. Bennet provided an overview of the Wyandot County SWMD that included information about the formation of the District, the District's solid waste management infrastructure, recycling programs, and other services.

The Wyandot County SWMD opened its first recycling center in Carey in 1986. In the three months that the center operated, in 1986, 36,000 pounds of recyclable were processed. By 1990, the quantity of recyclables processed increased to 348 tons. The District received its first recycling and litter grant in 1987. Shortly after that, the District began litter education and cleanup efforts.

After the passage of House Bill 592, the District applied for and received an exemption to become a single county solid waste management district. The District was officially formed in 1989. The first solid waste management plan was approved in 1991. The current effective plan was approved in 2001. The District currently has one full time and three part time staff.

The District is rural in nature, has a population of almost 23,000 people, and has one city (Upper Sandusky) and eight villages. The County is the home of the Kirby Scrap Tire site, one landfill, and three compost facilities.

The in-district landfill is owned and operated by County Environmental of Wyandot (Allied). The authorized maximum daily waste receipt for the landfill is 3,500 tons per day. In 2002, the landfill accepted 275,109 tons of waste. The District is funded by a disposal fee of $1.00:$2.00:$1.00 and a contract with the landfill of $1.00 per ton on out-of-state waste.

The District's recycling center was redesigned in 1993 and again in 2000. The addition in 2000 doubled the size of the recycling center and included the addition of office space to house the District. In addition to material from within the District, the Center processes recyclables from Hardin and Seneca Counties. The recycling center employs six full-time people, including two from MRDD, and four part-time staff.

In terms of recycling programs, the District operates the recycling center which also serves as a drop-off and buyback. There are three curbside collection programs - in Carey, Sycamore, and Upper Sandusky. The materials collected from all three programs are delivered to the District's recycling center to be processed. The District provides eight collection drives, recycling programs at the County's three school districts, tire amnesty days, household hazardous waste collections, a "milk run" to collect beer bottles from local bars, and computer recycling.

Revenue that the District earns from the sale of recyclables is distributed to communities as grants to start or improve recycling programs or for the purchase of recycled-content products.

The District also has an extensive education and awareness program. Education activities include classroom visits, field trips and tours, teacher workshops, and t-shirt and poster contests. The awareness program includes media ads, billboards, newsletters, displays, and floats.

The District also provides funding to the local health department. The District and the health department have a contract that requires the health department to submit monthly financial reports to the District and send copies of all solid waste correspondence to the District.

Jeff Aluotto, Program Manager - Hamilton County SWMD - Keeping Curbside Recycling Cost Effective

According to Mr. Aluotto, Cincinnati's curbside program is one of the oldest curbside collection programs in Ohio. The program was initiated in 1990. At that time, the program was a curbside hand-sort program.

There are 104,000 households that are eligible to participate in the program. The District estimates, based on studies, that the program has a 36 percent to 40 percent set out rate and a 50 percent to 60 percent participation rate. The program currently costs $2.1 million to operate (which is the contract cost) with a gross cost to the City of $175 per ton and a net cost of $126 per ton. The difference between the two costs is due to avoided disposal costs and grants from the District to the City.

Mr. Aluotto stated that Cincinnati's curbside program collects about 12,000 tons per year. This represents about 30 percent of the residential material being processed at Rumpke's MRF and 15 percent of all material processed at the MRF.

There are four factors which have been important to this issue: the City's budget; Rumpke's switch to single stream recycling; recent national trends; and staff relationships with the City of Cincinnati.

In terms of the City's budget, Cincinnati is facing a budget deficit of $35 million in 2003. The budget deficit is projected to be $20 million in 2004. The curbside program is competing for funding with other programs which are slated for cuts, including the Planning Department, Office of Environmental Management, yard waste collection, neighborhood support funds, and the nature education program.

Rumpke recently switched to single-stream recycling in Cincinnati. There are benefits to single-stream recycling. It presents an opportunities to collect larger volumes and to increase participation. It also allows for (semi) automated collection, and educating residents on how to participate in the program is easier. Along with benefits, there are also issues with single-stream recycling. One of this issues is the MRF residual rate. Under single-stream recycling, more material generally goes to the landfill. Rumpke claims their residual rate is under ten percent. In addition, there is generally more contamination of the fiber component, particularly with glass.

According to Mr. Aluotto, the District offered to help City staff research program options, and offered the use of the District's consultant to analyze yard waste programs. In terms of program options, they researched collection frequency, material mix, pay-as-you-throw, consortiums (partnering with other communities to reduce costs), and dual collection of trash and recyclables. Ultimately, reduced collection frequency and changing the material mix were the options presented to the City.

Reducing the frequency of collection generally applies collection resources more efficiently, increases the set-out rate, and results in higher volumes of material per set-out. Reduced collection frequency is becoming more popular for recycling programs, but it has an unclear effect on the participation rate. Mr. Aluotto presented results that were experienced by the City of Plano, Texas when they switched to every-other-week collection. He also presented data collected by the Central Virginia Waste Management Authority.

District and City staff approached local vendors to ensure that those vendors could provide the services being researched. The options discussed with the vendors were reduced collection frequency (every-other-week vs. monthly) and a change in the material mix (eliminating glass and replacing with residential mixed paper).

Based on research, the discussions with local vendors, and test bids, the District determined that reducing the collection frequency and changing the material mix would result in possible operational cost savings of 20 percent to 40 percent. This would result in net program costs of $72 per ton to $112 per ton.

In order to implement the changes to the program, the City would have to purchase new carts to distribute to residents. These carts would cost from $38 to $40 per cart, or approximately $2.7 million if funded from the capital budget. This would result in a payback period of 3.2 to 6.4 years. The District also evaluated cart service leasing contracts which would cost $0.60 to $0.80 per cart per month if funded through the operational budget.

Mr. Aluotto state that there are some dangers associated with reducing the frequency of collection. One danger is that residents may perceive it as reduction in service. Making this change also is one step on a slippery slope that could ultimately lead to cancellation of the program. Also, the change could result in less material being collected.

Providing good public information will be a must if the City decides to make the changes to the program.

Annette DeHavilland, Environmental Specialist 3, Division of Solid and Infectious Waste Management - Status of Methane Recovery at Ohio Landfills

Ms. DeHavilland was schedule to present an update of the landfill rules as well as information on methane recovery. In the interest of time, Ms. DeHavilland agreed to present just the methane recovery portion of her presentation.

Ms. DeHavilland presented data concerning the generation and use of methane gas in Ohio. The data was developed from data that is contained in a database that was created by the Division of Air Pollution Control to calculate methane gas production in Ohio. The data is calculated using a computer generated algorithm that estimates methane gas production at landfills based on waste placement at the landfills. The algorithm does not take into account the types of waste disposed (e.g. inert waste is treated the same as organic waste). As a result, the numbers generated are not directly measured but are, instead, estimated figures.

Ms. DeHavilland reported that there are 212 landfills in the database. Of these, 174 landfills don't do anything with the methane gas that they produce. These 174 landfills represent 38 percent of all methane that is produced by landfills in Ohio. 17 landfills use the gas that is generated. These uses include producing pipeline quality methane gas, using the gas to produce electricity, or using the gas as boiler fuel. These 17 landfills account for 41 percent of all of the methane gas produced by landfills. The remaining 21 landfills flare their methane gas. These landfills account for 21 percent of all of the methane gas produced by landfills in Ohio.

In all, the 212 landfills in the database are estimated to have generated 6,011,000 cubic meters of methane gas in 2002.

There are several factors that are influencing how landfills use the methane gas that is generated. One factor is the New Source Performance Standards that have been developed by the federal government. These standards require that large landfills install flares to manage methane gas production.

Another factor influencing whether or not methane gas from landfills is used or flared is the absence/presence of tax credits. At one time, landfills that used methane gas were given tax credits. Those tax credits were, at some point, eliminated. There is some discussion going on about reinstating those tax credits.

Another factor affecting methane gas use is economics. The presence of absence of a local, potential user of the methane gas strongly affects a landfill's ability to implement a use for its methane gas.

A discussion concerning tax credits and emission credits took place.

Andrew Booker, Supervisor, Division of Solid and Infectious Waste Management - Drop-off Study Update

Mr. Booker provided an update regarding the status of the drop-off study that is being conducted. Mr. Booker reminded SWAC that the reason this drop-off study is being

conducted is due to a commitment made in the *2001 State Solid Waste Management Plan*.

Ohio EPA issued a Request for Proposals and received four proposals. An advisory committee was formed consisting of representatives from Ohio EPA, ODNR, 2 SWMDs, and academia (2). The proposal from a group called The Strategy Team was selected.

Mr. Booker next discussed the study methodology. Face to face surveys at 17 drop-off sites will be conducted. Nine of these will be performed by the contractor and eight will be performed by Ohio EPA staff. Each participant's material will be weighed. In addition, a telephone survey of 300 people will be conducted in Summit County. Additional phases consisting of phone surveys around additional sites (outside of Summit County) and more face-to-face surveys (sponsored by individual SWMDs) may be performed.

The report to be submitted by The Strategy Team will include an analysis of tonnage data across Ohio and at individual sites, an analysis of the survey data, and an Arc-View map to display each site's visitors.

Mr. Booker next explained the expected results of the study. It is expected that the results will include a calculation of average usage rates (including frequency of usage, number of people annually, and amount of material annually), average distance traveled (which ultimate may result in the determination of a radius of coverage that can be expected by a drop-off), percentage of people within a radius that use the site, and an understanding of the factors that influence what makes a drop-off successful.

Mr. Booker finished his presentation by discussing the timetable for the drop-off study. Development of the survey tool will begin as soon as possible. A pilot survey will be conducted during the winter as will the telephone survey in Summit County. The face-to-face survey will be conducted in spring/summer of 2004. The final report is expected by the end of summer 2004.

Potential Future Agenda Topics

- Jan Voelker of the Ohio Department of Natural Resources, Division of Recycling and Litter Prevention will present the final results of the waste characterization study.
- Update regarding the status of receiving emission credits for methane gas recovery
- Presentation by SCS Consultants regarding the technical aspects of methane gas recovery at landfills
- Update regarding the status of Cincinnati's curbside program
- Presentation based upon information presented at U. S. EPA's conference on "National Waste Minimization Partnership."
- Presentation covering programs and activities of another solid waste management district

The next meeting is scheduled for February 26, 2004 to be held at Highbanks Metro Park from 10:00 a.m. to 1:00 p.m.

Respectfully submitted:_____

Erv Ball, Vice Chair

Minutes approved on: _____

Certified by:_____

Kathy Trent, Secretary