

**Summary Minutes
Solid Waste Management Advisory Council (SWAC)
November 18, 2004
High Banks Metro Park
9466 Columbus Pike
Lewis Center, OH 43035**

Members in Attendance:

Erv Ball, Health Departments
Brad Biggs, ODO's Director's Designee
Brad Couch, Statewide Environmental Advocacy Org.
James Gilliland, Counties
Dan Harris, EPA's Director's Designee
Steve Hill, Industrial Generators
Mike Long, Single County SWMDs
Richard Mavis, Municipalities
Joe Sykes, Townships
Kathy Trent, Private Solid Waste Management
Tim Wasserman, Joint County SWMDs
Richard Williams, Townships

Agenda Update

An agenda item originally scheduled for today's meeting will be postponed and held as a topic for discussion at February's meeting of SWAC. This agenda item is "Training and Certification Program For Operators of Solid Waste Facilities/Infectious Waste Treatment Facilities and Health District Staff—Ohio EPA's Initial Plans."

August 19, 2004 Meeting Minutes Approved

The first order of business was to review and approve meeting minutes from August 19, 2004. Mike Long MOVED to approve the August 19, 2004 minutes, Richard Williams SECONDED the motion. The minutes were approved on voice vote.

Update on Legislative/DSIWM Issues

It was reported that further action regarding Congressman Gillmore's federal legislation covering interstate waste is unlikely to occur for the remaining part of the 108th Congress. However, Congressman Gillmore has indicated that opportunities for this type of legislation looks promising for the 109th Congress.

Mr. Harris reported that an amended substitute Bill for HB 432 was voted out of the Energy and Environment Committee. DSIWM is happy to report that the amended version of the Bill will still result in adequate funding for health districts overseeing the C&DD program in their counties. A couple of changes to the Bill also will result in a new definition for C&DD and new provisions covering contamination with general solid waste (GSW). The C&DD definition will now include dust and particles resulting from demolition activities. To address C&DD mixed with GSW, facility operators will be required to utilize an unloading

zone for the purpose of removing the GSW. In addition, operators will also be obligated to remove GSW from areas of final waste placement. There will be some leeway for operators and inspectors to work through issues regarding GSW contamination. Operators will have the ability to first remove GSW without automatically being considered in violation of the C&DD rules.

Another aspect of amended HB 432 deals with how operators collect fees for C&DD waste. Operators have the option to measure C&DD waste loads, and determine the amount of fees applying to each load, through volume or tonnage measurements. Also, once a solid waste facility accepts a C&DD load and collects solid waste disposal fees for the load, the C&DD fees may not be collected.

Some discussions involved with the Committee's analysis of the Bill also addressed an interest from certain Committee members to pursue additional legislation for C&DD operations. The ideas for legislation identified in these discussions called for increased oversight at C&DD facilities resulting in better environmental protections. Mr. Harris asserted Ohio EPA's support for this type of enhanced legislation.

Committee members also mentioned the idea of opening doors for certain inert materials to be treated in some manner, other than disposal. Mr. Harris mentioned that this approach for certain materials would be in line with what DSIWM is already exploring with the help of other stakeholders in Ohio. In fact, Mr. Harris recently attended a beneficial use conference where beneficial uses of certain types of solid wastes were highlighted. Mr. Harris advised that SWAC should be prepared to hear more about beneficial use applications in the future.

Mr. Ball expressed support for DSIWM's efforts in working toward beneficial use concepts for inert waste streams. He identified this as a potential way Ohio may go beyond the plateau that we have seemingly reached regarding the existing state waste reduction/recycling rate.

Mr. Ball also used this opportunity to express appreciation to Director Jones for his support of HB 432, particularly the testimony the Director provided in favor of the Bill. He also expressed appreciation toward all Ohio EPA staff that provided support for promulgation of the Bill.

Mr. Biggs mentioned that ODOD is now in the process of working with food industries to help identify waste streams that may be diverted from disposal.

Mr. Harris stated his intentions to involve SWAC in the process of enhancing beneficial use in Ohio. He believes SWAC's involvement is essential in order to help focus the policy discussions that will result from this effort.

Mr. Harris informed SWAC of a recent court ruling regarding the allowable uses for the statutory authorized fees collected by solid waste management districts. This court ruling specifically involved the Stark-Tuscarawas-Wayne Joint Solid Waste Management District (STW District) and the expenses it is incurring to appeal a landfill permit action. According to the ruling, the STW District may use interest money resulting from accumulated fee

balances for these purposes, however, the STW District cannot use any amounts of actual fee revenue for these expenses. This ruling is in line with Ohio EPA's thinking on the matter. While Ohio EPA does not want to deny SWMDs the authority to appeal landfill permits, there is concern about SWMDs complying with the statutory requirements for the allowable uses associated with the statutorily authorized fees.

Mr. Harris indicated that a final report was submitted to U.S. EPA by DSIWM for the recycling drop-off study conducted this year.

A schedule of all the 2005 SWAC meeting dates was distributed to each member present at the meeting. A reminder was also given that certain SWAC members are required to register for an ethics course at the direction of the Governor.

2003 Disposal Totals and Import/Export Disposal Information (Andrew Booker, Environmental Supervisor, DSIWM)

Mr. Booker's presentation included several tables and graphs depicting waste disposal totals sent to Ohio landfills for waste generated inside and outside Ohio. The import total for 2003 is calculated at 2,541,074 tons. Of total 2003 imported waste, New York generated 887,297 tons (35 percent of Ohio's import total), Pennsylvania generated 467,042 tons (18 percent of Ohio's import total), New Jersey generated 431,086 tons (17 percent of Ohio's import total). The remaining total of imported waste, 755,649 tons comprising 30 percent of total waste imports into Ohio in 2003, was generated by 23 additional states.

In comparison, Ohio's residential/commercial sector alone generated over 11,000,000 tons of waste that was sent to Ohio landfills for disposal in 2003. The amount of general solid waste imported in 2003 generated by out-of-state residential/commercial populations was 1,489,884 tons.

Most imported waste disposed in Ohio in 2003 were sent to BFI Carbon Limestone in Mahoning County. BFI Carbon Limestone received 41 percent of the total for imported waste disposed in Ohio landfills. American Landfill in Stark County trailed BFI Carbon Limestone showing acceptance of 22 percent of total imported waste.

Amounts of imported waste received for disposal in Ohio from the New England states have nearly doubled since 1998. In 1998 Ohio received 854,634 tons of import waste from the New England states. These states sent 1,705,174 tons for disposal to Ohio in 2003.

The average per ton cost for disposal in Ohio for 2003 has been calculated at \$30.46. The average per ton tipping fee for the Northeast Region of the United States is calculated to be approximately \$60.00 per ton. New Hampshire's per ton tipping fee (\$79.51 on average) is documented to be the highest in the Northeast Region of the country while Maryland's per ton tipping fee (\$49.01) is documented to be the lowest for this region. Closer to Ohio's boundaries we see the following per ton tipping fees: Michigan-\$33.72; Indiana-\$28.95; Kentucky-\$30.86; Pennsylvania-\$57.47; and West Virginia-\$37.37.

The 2001 State Plan—Implementation and Review (Ernie Stall, Environmental Supervisor, DSIWM)

This presentation serves as a 3-year progress report and review for the implementation of the *2001 State Solid Waste Management Plan (2001 State Plan)*. Mr. Stall first dedicated time to the background regarding the history and purposes of the state solid waste management plan. From this point Mr. Stall presented an overview of the recycling/reduction goals and the statewide strategies established in the *2001 State Plan*. Mr. Stall also presented some upcoming focus areas that will continue to promote meeting the goals and state strategies of the 2001 State Plan.

The *2001 State Plan* constitutes the second revision of the first state solid waste management plan. The original state solid waste management plan was adopted in 1989. The first revision of the original state solid waste management plan did not occur until 1995. The Ohio Revised Code requires that the state solid waste management plan be reviewed by SWAC every third year. We are now in the time frame for reviewing the *2001 State Plan*.

Mr. Stall noted that Ohio EPA's experience indicates that information and conditions do not generally change enough in 3 years to warrant revising the state solid waste management plan. The triennial review is typically more of a task that begins to provide Ohio EPA and SWAC with information that may be used for subsequent revisions.

A summary of the progress being made toward meeting the goals and state strategies of the *2001 State Plan* were presented to SWAC. Since adoption of the 2001 State Plan, Ohio EPA has approved 25 solid waste management plans and issued 2 solid waste management plans. Of these plans, 22 demonstrated compliance with Goal #1 and 5 demonstrated compliance with Goal #2. From 2001 to 2003, the number of non-subscription curbside recycling programs, subscription curbside recycling programs, and drop-off recycling programs have increased by approximately 51 percent, 22 percent, 60 percent, respectively. The statewide waste reduction and recycling percentage has increased from 44.1 percent in 2001 to 44.6 percent in 2002.

Some activities geared to meet the state strategies include: distribution of \$6,970,081 in Recycle! Ohio Grants awarded in 2003; the ODNR waste characterization study; a voluntary MRF survey instrument was drafted and will be issued soon; Ohio EPA conducted a drop-off study, etc.

Future strategies and areas of focus felt to be instrumental in demonstrating continued progress toward meeting the goals and state strategies of the *2001 State Plan* were also summarized. These future areas of focus include: finalizing the drop-off study, finalizing four Ohio EPA written solid waste management plans, implementation of the MRF survey, initiation of a curbside recycling study, revisiting the state agency procurement and recycling goals, revisiting state strategy #10 dealing with energy costs for recycling and evaluating new or emerging waste reduction/recycling technologies, and the likely revision of the state solid waste management plan in 2006.

Mr. Gilliland questioned if there are any challenges for solid waste management districts in

obtaining reports for recycling from private recyclers. Mr. Stall indicated that there isn't so much a problem getting the reported information, however, there are usually major problems in deciphering the data to know if the amounts reported may be considered for recycling credit by solid waste management districts. Private recyclers often include non-creditable recycling amounts in the reports submitted to solid waste management districts.

Mr. Long expressed appreciation for the summary Mr. Stall presented. Mr. Long believes that significant progress is being demonstrated in Ohio toward meeting the goals and strategies of the *2001 State Plan*. Mr. Long also suggested that SWAC form a task force to evaluate all of the future focus areas that should be addressed and begin collecting information from the many various stakeholders involved in order to prepare for the next state solid waste management plan update.

Robert Villers, Director- Geauga/Trumbull Joint SWMD - Recycling Programs of the Geauga-Trumbull Joint Solid Waste Management District

Mr. Villers provided an overview of the Geauga/Trumbull Joint SWMD that included some history of the SWMD, the District's recycling programs, and other services.

The Geauga/Trumbull Joint SWMD used to also include Ashtabula County forming the Trumbull, Ashtabula, and Geauga Solid Waste Management District. In 1993 Ashtabula County formed its own single-county SWMD. In 1997 the Geauga/Trumbull Joint SWMD received plan approval from the Director and began collecting a \$3.50 per ton waste generation fee. This funding source enabled the SWMD to begin to implement various programs.

Upon plan approval in 1997, the SWMD took over 8 existing drop-off recycling locations and established 11 new recycling drop-off locations. Now, in 2004, the SWMD has a total of 48 recycling drop-off locations. The amount of material collected for recycling in 2004 by these drop-offs totaled more than 5,000 tons.

The operational cost for the SWMD's recycling drop-off program was \$410,000 in 2002 or \$91.21 per ton of recyclables collected. Changes made to the drop-off recycling program since this time has improved costs to a level of \$56.00 per ton of recyclables collected.

The SWMD also offers collection events for scrap tires, appliances, and household hazardous wastes.

Future plans of the SWMD include operation of a HHW and recycling center.

Potential Future Agenda Topics

- Drop-off study
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- Solid waste facility operator training and certification
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- Product stewardship
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- Discussion of task force formation
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- Effects on ODNR-DRLP resulting from funding changes

The next meeting is scheduled for February 17, 2005 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