

Solid Waste Advisory Committee Meeting Minutes of April 27, 2016

The following members were present:

Michele Nestor, Chair
Bob Watts, Vice Chair
Eli Brill
Ed Vogel
John Frederick
Shannon Reiter
James Close
John Vataavuk
Joseph Reinhart
Greg Pearson
Adam Pankake, Alternate for Senator Gene Yaw

The following members were absent:

Jerry Zona
John Over
Joyce Hatala
Tanya McCoy-Caretti

The following guests and Department of Environmental Protection (DEP) staff members were present:

Rich Hipp	Kuusakoski US; Vintage Tech Recyclers
Chris Coulter	Peoria Disposal Company (PDC)
Bob Bylone	PA Recycling Markets Center (RMC)
Mary Anne Botte	PA Waste Industries Association (PWIA)
Brigid Landy	K&L Gates
Michael Nerozzi	Joint Legislative Conservation Committee (JLCC)
Katie Hetherington Cunfer	DEP - External Affairs
Keith Ashley	DEP Bureau of Waste Management (BWM)
Tom Mellott	DEP BWM
Scott Walters	DEP BWM
Chris Solloway	DEP BWM
Ali Tarquino Morris	DEP BWM
Chris Noble	DEP BWM
Jessica Shirley	DEP Policy Office
Walt Harner	DEP Bureau of Environmental Cleanup and Brownfields

Call to Order; Introduction of Members and Guests; Approval of Minutes of January 21, 2016; Old Business

The April 27, 2016, meeting of the Solid Waste Advisory Committee (SWAC) was called to order at 10:04 a.m. by Michele Nestor, Chair. Ms. Nestor asked for introductions of committee members and guests.

Eli Brill requested two revisions to the January 21, 2016, meeting minutes. The committee concurred with Mr. Brill's request and agreed to defer consideration of the revisions until the June 30 SWAC meeting.

Pennsylvania's Climate Change Action Plan

Jessica Shirley from DEP's Policy Office provided an overview of Pennsylvania's Climate Change Action Plan. Ms. Shirley spoke about the background of the Pennsylvania Climate Change Act, how it was created, and the dynamics of the Climate Change Advisory Committee (CCAC) membership. Members are appointed by the House, Senate, and the Governor and bring a diversity of viewpoints.

Ms. Shirley identified some of the topic areas the Climate Change Action Plan will consider:

- Identifying Greenhouse Gas (GHG) emission and sequestration trends and baselines;
- Evaluating cost-effective strategies for reducing GHG emissions;
- Identifying costs, benefits and co-benefits of GHG reduction strategies;
- Areas of agreement and disagreement among CCAC members; and
- Legislative recommendations.

Ms. Shirley stated that the CCAC has been developing the 2015 plan and anticipates completing it by mid-2016. There was a 60-day public comment period on the draft Plan that closed on March 30, 2016, and there were 13 commentators. All comments are available on the Department's eComment system. The draft final version will be discussed with the CCAC at its May 17, 2016, meeting.

Using data based on the Environmental Protection Agency (EPA) State Inventory Tool, Ms. Shirley highlighted the GHG emissions by sector, pointing out that the waste management sector is a very small percentage of the overall GHG emissions in Pennsylvania. Emissions from the waste sector come from landfill gas, solid waste combustion, and wastewater treatment.

Ms. Shirley provided detailed data on waste sector emissions over a 12-year period. She also provided projections to 2030 based on EPA data. The projections showed that from 2015 to 2030 the waste management sector will continue to be a very small percentage of total GHG

emissions in Pennsylvania. She stated, however, that the projection tool does not take into account any future policy changes and the effects that they may have upon the plan.

Ms. Shirley explained that in 2009 there were over 50 work plans that were developed by DEP, the CCAC and the Center for Climate Strategies. In 2013, the focus shifted to 28 work plans that were able to be updated and deemed the most feasible. When DEP and CCAC began developing the 2015 Action Plan, they focused on the work plans that had the best potential to be implemented and that offer the most cost-effective GHG reduction strategies. The 2015 Action Plan is very energy-efficiency focused.

She explained that Pennsylvania can further reduce emissions from the waste sector by focusing on items such as preventing illegal dumping and open burning, encouraging expanded use of collected landfill gas as an alternative energy source, and exploring alternative technologies for management of organic wastes.

In addition to the work plans, the Action Plan includes ideas for what individuals can do to reduce their GHG footprint, such as buying items made from recycled materials, recycling as many products as possible, and disposing of waste properly.

She explained that the 2018 Action Plan is currently being discussed by the CCAC, and the topic of climate change adaptation is on the agenda. She encouraged everyone in attendance to stay tuned for updates and to get involved in future CCAC meetings and development of the Action Plan.

John Vatauvuk commented on the need for universal access to convenient and affordable waste and recycling services for communities and residents.

Ed Vogel asserted that the focus of yard waste should shift from encouraging composting to including it in landfill waste because it would serve as a beneficial source of methane gas for landfills that have a good gas collection system. He requested that it be considered as an option for the Action Plan.

Roundtable Discussion - Act 101 Past, Present & Future

Michele Nestor, Chair, moderated a segment regarding Act 101, fielding questions and comments from the members.

John Frederick commented that some counties and municipalities don't have the capability to provide education or information about recycling. He reiterated that while a lot of good has come from Act 101, there is much more that could be done. Examples he cited are pushing for universal access to recycling and waste services for municipalities and offering flexibility to counties and municipalities to develop programs that work for their area.

Bob Watts agreed with Mr. Frederick regarding universal access to recycling; however, he believes that grant funding for municipalities without current access to recycling should be a

priority. He reasoned that larger municipalities/populations have momentum and will likely continue their established recycling programs; however, he believes the smaller communities are those most in need of assistance when it comes to establishing recycling and waste services. Shannon Reiter mentioned that mandating municipal waste collection and recycling would require amending Act 101.

Ed Vogel believes smaller communities should be the target if Act 101 is revised. Mr. Vogel noted that, in his experience, the smaller underserved communities average an 85% participation rate when an ordinance is in place, requiring haulers to offer recycling and waste collection services.

Bob Watts noted that some areas lack the political will to make these changes happen. In many instances people are open to the idea, and the question is how to best get these resources to them.

Mr. Brill mentioned that some of the suggestions would require amending Act 101, and he questioned whether DEP has the authority to implement the changes required.

A question was raised regarding adding e-scrap to the list of Act 101 items to allow municipalities to obtain grant funding for it. Joe Reinhart raised concern about making specific items mandatory in a down-commodities market unless there is a way for them to be recycled and reused in a responsible and economically feasible manner. John Frederick suggested perhaps encouraging a profit-sharing / risk-sharing model for the haulers and municipalities when dealing with commodity price fluctuations.

Michele Nestor questioned the infrastructure of recycling and how to keep it sustainable. John Vatauk mentioned bringing back the \$2 recycling fee because of the strain it placed on counties when it was taken away. Ed Vogel explained that there shouldn't be a fee or a tax; the market should be free. He advocated for "convenience centers"—the allowance of a general permit, free of funding from DEP, where a hauler that meets the reasonable expectations and has the capabilities to accept recycling on premises be allowed to do so. This would be a beneficial way to expand collection in areas where curbside pick-up might be cost prohibitive.

CRT Glass Management and Covered Device Recycling Act (CDRA) - General Discussion

Rich Hipp, President of Kuusakoski Recycling's U.S. Operations, and Chris Coulter, Vice President & COO, Peoria Disposal Company, gave a presentation about cathode ray tube (CRT) glass disposal and processing and how it may pertain to Pennsylvania's CDRA.

The process is currently utilized in Illinois where the bulk of a CRT set is disassembled and recycled. The leaded glass tube is then crushed and chemically treated in a way that renders it non-hazardous. The treated glass is considered beneficial reuse and used as alternative daily cover and is recognized by many states as diversion. It is then encased in a dedicated

retrievable storage cell of a landfill. This type of disposal allows the glass to be “mined” when technology becomes available when end-markets for leaded glass are viable.

Mr. Coulter explained that processing the CRT devices in this way is in compliance with laws regarding the prohibition of landfilling these devices. The CRT first goes to Kuusakoski as a covered device but, through their disassembly process, by the time it reaches the stage where it would be landfilled, it’s simply just the leaded glass portion. The process was designed in a manner that wouldn’t run afoul of CDRA laws and regulations.

Mr. Hipp expressed the challenges facing the clean-up of millions of pounds of this CRT glass that needs to be processed. The cost of operating a furnace to process the glass doesn’t balance out compared to the lead value returns. Smelting is another process, but there are capacity issues. Other options face similar pitfalls or are prohibited by current regulations. The inverse is that no regulation exists for some options, yet there are concerns about viability and quality of the process.

Committee members discussed the applicability of the leaded glass encapsulation process for Pennsylvania as well as possible amendments to the CDRA that would address the CRT stockpiling and illegal dumping that is currently taking place.

Members spoke about the possibility of lifting the landfill ban on CRT monitors in order to alleviate the stockpiling and hoarding that is happening when residents have no means to dispose of them. The ban would still be in effect for businesses and manufacturers, but it would help to stymie illegal dumping when no outlet for these devices exists.

Summary of the Joint Legislative Conservation Committee (JLCC) Hearing on the Covered Device Recycling Act

Michael Nerozzi from the JLCC provided a summary of a hearing that took place on March 21, 2016, in Harrisburg concerning the CDRA. He noted that Representative Christopher Ross, the author of the CDRA, described the legislative process that resulted in the passage of the CDRA. Eight individuals provided testimony as well as suggestions to the JLCC regarding how to move forward with the CDRA. He also stated that Rep. Ross has drafted a comprehensive amendment (House Bill 1900) to the CDRA.

Public Comment; New Business

The meeting adjourned at 12:29 p.m., moved by Mr. Brill, and seconded by Mr. Vogel.