

**Summary Minutes
Solid Waste Management Advisory Council (SWAC)
November 18, 2010
Lazarus Government Center
50 W. Town Street
Columbus, OH 43215**

The Following Members Announced Their Attendance at Roll Call:

Thomas Ferrell, Counties
Chris Jacobs, Joint County SWMDs
Holly Christmann, Single County SWMDs
Gary Sims, Private Recycling Industry
Timothy Lynch, Townships
Dan Harris, Ohio EPA
Jean Byrd, Public
Matt Trokan, Statewide Environ. Advocacy Org.
Steve Hill, Industrial Generators
Christopher Valerian, Private SW Mgt. Industry
Erv Ball, Health Departments
Terrie TerMeer, ODNR
Charles Keiper, Counties

William Murdock, ODOD, and Belle Everett, Townships, arrived after roll call.

DSIWM General and Legislative update – Dan Harris, Ohio EPA - DSIWM

Mr. Harris shared that while the new administration for Ohio's government may result in adjustments, the Division plans to proceed with existing initiatives. This includes continuation of rule making efforts. The Division continues to work on a minor update to the state fee rule in order reflect the most recent changes made to the statute. The rule package addressing bioreactor landfill design will be sent for the formal comment period and also scheduled for a hearing at JCARR. There are other rule packages that may be sent for interested party review by the end of this year. The composting rule package may be sent for interested party review by the end of the year.

Mr. Harris informed SWAC that the Division's comments to US EPA for regulation of fly ash and coal combustion residual waste will soon be forwarded to members of SWAC.

Senator Niehaus recently sought SWAC members' input on legislation he sponsored. This legislation would provide authorization for Brown County's solid waste district and port authority to work together in providing financial assistance involving the Brown County hospital.

Ms. Christmann submitted comments regarding the Bill as a representative of single county solid waste management districts. These comments expressed concern of precedent being set in Ohio for use of SWMD funding not currently authorized by statute. Mr. Ball expressed that health districts have high sensitivity to spending but he also recognized the opportunity to initiate discussions for the current statutory fee provisions. Mr. Ball informed SWAC that formal comments from Ohio's health districts were also submitted to the Senator. Mr. Valerian indicated that, from the industry's perspective, there are many stakeholders' needs to consider and that the Bill makes a complex arena increasingly more complex. In general, industry is against increased complexities.

Mr. Booker indicated that there has been no recent information shared for the Bill. Mr. Harris thanked SWAC members for taking time to review the Bill and for those who submitted comments. Ohio EPA will stay tuned to any new developments and inform SWAC.

Mr. Ball asked if the recent SWAC appointments/reappointments had completed the official process of being confirmed by the Senate. Mr. Harris announced that, unless told differently by the new administration, the assumption is made that the appointments/reappointments are to remain unchanged.

Review of the August 19, 2010 meeting minutes

Timothy Lynch MOVED to accept the **August 19, 2010** meeting minutes presented today. Charles Keiper SECONDED the motion and the minutes were approved on voice vote.

Overview of the Carroll/Columbiana/Harrison SWMD (Chris Jacobs, Coordinator)

Mr. Jacobs began by sharing details related to his length of service with the Carroll/Columbiana/Harrison SWMD (CCH SWMD). Mr. Jacobs has been with CCH SWMD since 1994. Of the three counties, Columbiana has the largest population (approx. 110,000) the remaining two counties bring the entire District's population to approximately 150,000.

The District contracts with a local hauler for transporting the recycling drop-off collection bins. As of last year, the District offered 47 full-service recycling drop-off locations. These sites collected 2,672 tons of recyclables in 2009. Last year's revenue from the collection of recyclables at District drop-offs was \$48,000. Expenses to operate the District's drop-off recycling program in 2009 were \$213,000. These expenses are direct costs to the hauler.

There are several curbside recycling programs operating in the District. The most notable curbside recycling program is offered for residents of Carrollton. Carrollton offers a PAYT program which even invites commercial entities to participate. In 1999, the District worked with Carrollton to offer curbside recycling free to residents with specified commercial recycling container pricing.

Mr. Jacobs identified some obstacles for establishment of additional PAYT programs. The main obstacle deals with the limited number of garbage franchises entered into by communities because it tends to alienate local haulers.

Salem has an approximate population of 12,000. This community requires all haulers to provide curbside collection service. However, this service is not offered free of charge. East Liverpool is the only municipality in the District that has city waste collection. Every other community in the District is serviced by private haulers. East Liverpool initiated a curbside collection program from the standpoint of being required to haul less waste long distances to landfills.

Ms. Everett asked Mr. Jacobs what suggestions he may have to work with communities that have multiple private haulers for the establishment of new curbside recycling programs. Mr. Jacobs emphasized the importance of finding at least one individual trustee that would be supportive of the concept.

Competition for Organic Waste Streams (Michael Greenburg, GT Environmental, Inc.)

Mr. Greenburg's affiliation with SWANA recently allowed him to take notice of competing demands for organic waste streams. This subject was brought to light during a conference attended by Mr. Greenburg. At this conference landfill and organic facility operators proposed arguments for and against sending organic materials for disposal at MSW landfills.

Typically, 50 percent of the municipal solid waste stream is comprised of organic materials. Organic wastes may be made into energy and useful end products. This, combined with an overall decreasing amount of waste being generated during this recession period, is creating more competition for less material. Programs for collecting food waste both at commercial facilities and at the curb are in their infancy nationwide and Ohio, but they are starting to gain traction.

Some landfill operators have invested heavily in landfill gas collection equipment and technology. Anaerobic digestion technology and the resurgence of pyrolysis, gasification, and waste-to-energy may divert significant quantities of organics from landfill disposal. Traditional composting facilities continue to advocate their processes

as the best option to divert organic waste material from landfill disposal. Other factors entering the debate are greenhouse gas emissions associated with each method of disposal.

Mr. Greenburg shared position statements offered by SWANA, the U.S. Compost Council, and private landfill facility operators for how organic waste materials should be managed. The position statements further highlight the competition and differing opinions for management of organic waste materials.

Mr. Greenburg summarized his observations by indicating that the competing demands for organic waste materials will ultimately be solved by economics, the regulatory framework, and through business model changes.

Commercial Sector Recycling Initiatives (Andrew Booker, Ohio EPA and Bob Nelson/Doug Brownfield, Lowes)

Mr. Booker explained that the Division receives a number of calls showing great interests in recycling. At some point in time the markets for recycling reached a very low point. Despite this, recycling markets have continued to recover. We have become aware of only one curbside recycling program that has been discontinued. We have also noted continual improvement in Ohio's commercial sector toward recycling. In fact, there seems to be a fundamental change in the business model for a number of corporations in Ohio so that recycling has become central to mission statements and standard operating procedures. Mr. Booker shared examples of several corporations operating in Ohio that portray these concepts.

Lowes was introduced by Mr. Booker as one of the companies operating in Ohio that has shown great dedication to recycling initiatives. The Lowe's representatives shared information with SWAC depicting many recycling opportunities that they offer for customers and showing how waste generated by their stores is diverted from landfill facilities. They have recycling opportunities in place for customers including batteries, CFL bulbs, grocery bags, and appliances.

Mr. Booker shared information regarding initiatives for waste diversion by Kroger stores in Ohio. In April 2008, Kroger agreed to be the pilot generator of organic waste to be diverted from landfills on a multi-store platform. During the pilot period a total of 654 tons of organic wastes were diverted from landfills. Ultimately, the success of this project resulted in program sustainability with 20 additional stores added to an initial 24 stores that participated in the pilot study. As of November 15, 2010, a total of 4,261 tons of organic materials have been diverted from landfills.

DSIWM Draft Alternative WTE Regulatory Approach (Pam Allen, DSIWM)

Ms. Allen reminded SWAC that Section 10 of the 2009 State Solid Waste Management Plan includes a focus on waste-to-energy. In effect, the Division has taken a look at technologies such as pyrolysis, gasification, etc. During the Division's research, thought was given to the type of processing these operations perform. Other than air emissions, these processes seem to fit closely with legitimate recycling facilities (LGF's). LGF's are not required to be licensed or permitted. Historically there have been limited compliance related problems with these types of operations.

Accordingly, the Division has issued a draft policy to initiate public conversation on this topic. SWAC is the first formal part of the Division's introduction of the draft policy. The policy will be shared with all interested parties next week.

The Division understands some of the concerns that may be raised by interested parties. However, we do anticipate hearing new concerns that we want to also consider. One concern we expect to be raised deals with the fact that fees would not be collected on the front end for wastes sent to these types of operations.

Ms. Allen welcomed SWAC members to provide comments now and during a 60 day comment period that should wrap up by the end of January.

The Division also plans to begin working on a rule for alternative fuels. The rule would attempt to capture how solid waste derived fuels would not be considered solid waste as long as certain conditions are met. However, ash produced by these operations would be considered solid waste. So fees would apply on the material resulting from the processes unless the residuals are used in some other way.

Mr. Ball commented that he appreciates the Agency's attempt to not "overreach" on these topics. He feels like Ohio EPA is doing a good job at considering which areas where regulatory oversight should still be maintained and also recognizing where regulatory oversight may not be necessary.

Mr. Trokan asked if the aspect of alternative fuels fit in with our state targets for alternative energy and fuels. Ms. Allen explained that PUCO has indicated this activity would be considered a renewable energy that could count toward the credits

SWAC was also reminded that even if DSIWM does not require an operation to be licensed or permitted, it does not mean that the operation is precluded from requirements of air or water permits.

Although unrelated to this agenda topic, Ms. Allen also mentioned that she has been informed that U.S. EPA has assembled a working group for "sustainable financing" related to recycling. This group consists of some large corporations and representatives from a couple different states. The premise is based on finding ways to identify funding toward recycling programs. The group is initiating its work by meeting with packaging industry companies. In addition to helping identify funding, the group is also hoping to encourage re-engineering of packaging materials to make them more amenable to recycling.

Agenda Items for the February 17, 2011 SWAC meeting

Mention of a few potential agenda topics included: follow up on glass study, inviting other commercial or industrial representatives to discuss recycling initiatives, an invitation extended to representatives from Capital Crossroads, and follow up on events happening in the Lucas County SWMD.

Mr. Harris declared meeting adjournment.

Respectfully submitted: 

Vice Chair

Minutes approved on: 

Certified by: 

Secretary