

**Summary Minutes
Solid Waste Management Advisory Council (SWAC)
August 16, 2012
Lazarus Government Center
50 W. Town Street
Columbus, OH 43215**

The Following Members Announced Their Attendance at Roll Call:

Erv Ball, Health Departments
Erin Miller, Municipalities
Jean Byrd, Public
Steve Hill, Industrial Generators
John Bayliss, Counties
Anne Fiehrer-Flaig, Single County SWMDs
Thomas Ferrell, Counties
Timothy Lynch, Townships
Matt Trokan, Statewide Environmental Advocacy Organizations
Belle Everett, Townships

Christopher Valerian (Private Solid Waste Management Industry) arrived after roll call.

Welcome and Introductions (Erv Ball, Cuyahoga County Board of Health)

Mr. Ball will be chairing the meeting today. Introductions were provided for all present.

Review of the May 17, 2012 meeting minutes (Erv Ball)

John Bayliss MOVED to accept the May 17, 2012 meeting minutes presented today.
Steve Hill SECONDED the motion and the minutes were approved on voice vote.

DMWM General and Legislative update (Andrew Booker, OEPA-DMWM)

Mr. Booker started by informing SWAC members about the Ohio Department of Natural Resources' Division of Recycling and Litter Prevention's (ODNR-DRLP) merge with Ohio EPA and the transition that is currently underway. As a result, Terrie TerMeer (former Deputy Chief of ODNR-DRLP) is the new Ohio EPA Director's designee on SWAC. Ms. TerMeer was supposed to chair today, but prior commitments did not allow her to be present.

Relating to the appointments and re-appointments of the SWAC members whose terms expired on June 23rd, no updates have been provided from Boards and Commissions as of yet. However, there is a 60 day grace period so those member are still in official capacity today.

Mr. Booker also related to outreach activities for the revised construction and demolition debris (C&DD) rules for existing facilities as well as early stakeholder outreach for the

beneficial use rules. Also, a summary of DMWM related changes resulting from recently signed bills were made available. Changes included:

- Consolidation of ODNR-DRLP with Ohio EPA;
- Temporary storage of low-level radioactive waste at landfills;
- Exempting coal combustion waste from SWMD generation fees;
- Increasing the threshold for use of scrap tire funds for small tire site clean-ups;
- Changing construction and demolition debris fee language;
- Revising the environmental background check requirements;
- Eliminating the “consent to service” requirements for solid waste transportation;
- Modifying the infectious waste statute to remove dual regulation; and
- Prohibiting the co-disposal of secondary aluminum production waste at MSW landfills.

SWAC Member Updates

Mr. Ball indicated this was the first attempt for this agenda topic. He also related to how the landscape for solid waste management in Ohio has changed significantly since H.B. 592 was passed in 1988.

There was discussion concerning out-of-state waste imports. Approximately 4 million of the 22 million tons of waste disposed in Ohio came from out-of-state (not including C&DD waste). The low tipping fees in Ohio, compared to states on the east coast, makes it economical to ship waste significant distances to be disposed in Ohio. It was indicated that real estate values are a larger factor compared to differences in tipping fees. Much of the waste is shipped by rail. It was noted that Ohio also exports a significant amount of waste as well.

There was also discussion about the challenge of deconstruction and demolition of old and vacant buildings and the resulting C&DD waste. Deconstruction is the preferred method and the markets are being developed for recycling these materials. However, the potential for lead and asbestos contamination make deconstruction projects more difficult.

Lucas County SWMD/Toledo Collection Services (Jim Shaw, Lucas County Sanitary Engineer)

Mr. Shaw started with a brief history of the refuse and recycling services in Toledo, which services approximately 99,500 households. After receiving a notice from Ohio EPA that the Lucas County SWMD was not in compliance with its Plan, a compliance agreement was established in 1998. In it, the City of Toledo agreed to provide biweekly curbside recycling with 100 percent of the households to be serviced by June of 2001. The SWMD agreed to provide a grant of \$1.00/ton to the city for maintaining the

curbside collection program. The program was not fully implemented and residential recycling was set at the curb in whatever method the household chose.

In 2008, the city started a 10,000 household pilot for single-stream recycling using automated collection. At that time, the city proposed a rate schedule for residents that increase over time, but would incorporate cost reductions if the residents were to recycle.

In 2009, the city received approval to get financing for the carts and to move forward with automation collection for the entire city. The city also conducted due diligence of privatization versus internal refuse/recycling collection and participation in the pilot area recycling was up to 90 percent, while non-pilot areas saw approximately 40 percent participation. In June of 2009, the city was struggling to support and fund their program and was in a severe budget crisis at the time – which raised the question of whether they could fund the recycling program. The first automated trucks arrived in November, 2009 and the first automated route started in December. The carts had an in-mold graphic label to provide recycling information and all carts, new and from the pilot program, were to be equipped with an RFID tag to measure the number of tips.

In November of 2010, the City of Toledo requested assistance from the SWMD. In order to promote regional efficiency and effectuate needed cost savings, the City of Toledo sought to cease providing refuse and recycling collection services in the City and legally authorized the Lucas County SWMD to assume collection responsibilities. In the spring of 2011, the SWMD began operation of the refuse and recycling collection for the City of Toledo after a RFP and bid process.

The general conditions of terms were provided. The program had to be cost and revenue neutral for the SWMD, a seamless transition was required, billing was to continue to be done by the City, the SWMD's contractor was to provide customer service and the City's 40 collection trucks were purchased by the contractor for \$8,000,000. Also, the program was to incorporate incentive-based recycling (My Republic Rewards), eliminate the holiday leap forward program, and was to address un-automated areas (cul-de-sacs, alleys). Refuse collection was provided on a weekly basis and recycling on a bi-weekly basis. Provisions were made for bulk collection, route adjustments, fuel surcharges and the City was to pay the applicable landfill fees.

The result was a 45 cent increase in costs to residents, with additional cost increases built into the contract. Privatization reduced the use of taxpayer dollars from the general fund, saving an estimated \$6 million annually (\$2.8 million in 2011). Many of the Toledo collection workers went to work with Republic and the area saw a total net hiring gain of 33 workers. Extensive outreach and partnerships allowed for a good transition.

LEED Recycling Standards (Jason Woehrle, Gilbane Building Company)

Mr. Woehrle indicated the Leadership in Energy and Environmental Design (LEED) program was developed by the US Green Building Council in 1998. The program

allows a third party certification for building projects using a suite of rating systems for the design, construction and operation of high performance green buildings, homes and neighborhoods. The rating system awards points based on categories such as water and energy efficiency, construction waste management, use of recycled content materials, and indoor environmental quality. He provided detailed points that could be attained and provided examples of some local projects that have attained LEED certification as well.

Tour of LEED Gold Certified Lazarus Building (Robert Turrin, Lazarus Building Manager)

SWAC members were offered a tour of the Lazarus Building, including a viewing of the rooftop garden. Pertinent data was presented relating to first renovation project in central Ohio to achieve the LEED Gold rating.

Update on H.B. 592 Review (Andrew Booker and Christopher Germain, OEPA-DMWM)

A review of the meetings and webinars held for Phase I and II of the review process was provided. Almost 300 participants were included in the Phase I meetings and 170 people participated in the Phase II meetings.

Ohio EPA will be working on a draft vision statement for Ohio's solid waste management system as a whole and posting it for comment in the near future.

A summary of all of the comments and discussions from Phase I and II was provided. Comments relating to technical rules and regulations included siting criteria and other requirements for landfills, a framework for waste-to-energy technology and potential regulation or licensing of haulers. Discussion for the roles of various entities included SWMDs (education vs. services), Ohio EPA (data collection vs. networking vs. reporting), health departments, local governments and law enforcement as well as a discussion of the public versus private sector balance. Other 'big picture' concepts included regulation of C&DD and excluded wastes under the solid waste program, as well as discussion of the scrap tire and orphan landfill programs.

There were discussions about the types of specialized waste streams that should be focused on. Electronics, paint, pharmaceuticals, organics and HHW were all identified. Specific programs and concepts that Ohio should be looking to develop or promote were also discussed. These included extended producer responsibility concepts, pay-as-you-throw waste services, population or density triggers for curbside collection, bottle deposits, bar and restaurant recycling programs, packaging reduction, landfill bans, required waste and recycling collection services, as well as certification of recyclers.

Other comments related specifically to SWMDs and the planning/reporting processes. Discussions also centered on the need for higher quality data and how to acquire it. The role of the State Solid Waste Management Plan, SWAC and the Format were also

discussed. Relating to the composition and structure of SWMDs, there were comments on the number of SWMDs statewide as well as the makeup of their governing bodies. The services offered by SWMDs were discussed with the need for more recycling and more statewide consistency being identified. Other rules and authorities, such as flow control, were discussed as well.

SWMD revenues and expenditures were also discussed. The need to move away from a per ton fee system was identified and more stable source should be identified. The allowable uses of solid waste fees were included in the discussions as well as the methods and frequency of reporting SWMD fees.

Relating to SWAC specifically, the role and membership of the advisory council was discussed. As mentioned at the May 17, 2012 meeting, the potential elimination of SWAC was mentioned by interested parties. At that meeting SWAC members expressed the value of input from a cross-section of parties interested in solid waste issues. Other membership changes mentioned included potential seats representing the organics industry and/or end-users of recycled materials, having regional SWMD members, as well as other specific membership recommendations. SWAC members were in general agreement that a seat representing the organics industry would be a good idea, and a seat for the end-users of recyclables was generally accepted as well. The question of whether two seats allocated for townships, counties and municipalities made sense. Responses indicated that it was beneficial and allowed for diversity geographically and demographically (populous vs. rural).

There was a discussion about challenging SWAC to seek value from the time spent at meetings. The forum should be a think-tank and a free flow of information should occur to generate ideas about specific solid waste policies to be looked at. It was asked why the senator or representative appointees never attended the meetings. Having the senator and representative appointees present at the meetings would be beneficial and it was noted that there were limited private representatives on SWAC as well. Additional efforts will be made to reach out the senator and representative appointees to SWAC. Further discussion indicated it would be useful to bring in specialists on a temporary basis, such as an engineer or an economist.

Comments specific to the State Plan included elimination of the State Plan, required updates every five years and requiring the Format as an Appendix in State Plan. Comments specific to the Goals identified in the State Plan were also identified.

The remaining timeline was provided for Phase III and Phase IV. Phase III should take place from November, 2012 to January, 2013. Activities include formal proposals released by Ohio EPA, a series of meetings for public input and feedback, revisions and then final proposals. The legislative initiative, or Phase IV, will take place in 2013.

Agenda items for the November 15, 2012 meeting at Ohio EPA Central Office

It was mentioned that more than ten minutes should be provided for the SWAC member

updates. There will be further discussion regarding H.B. 592.

The meeting was declared adjourned.

Respectfully submitted: _____
Vice Chair

Minutes approved on: _____

Certified by: _____
Secretary