

# WASTE & MATERIALS MANAGEMENT STUDY GROUP – Notes: August 1, 2024

Location: Virtual - Teams

Member Attendance:  Curry,  Doverspike,  Kalvelage  Karwoski,  Ketchum,  Knudtson,  Mathewson,  Michitsh  Pellitteri,  Sexton,  
 Welch

Guests:

DNR WA Attendance:  Krausensky,  Semrau,  Strom Hiorns,  Murray,  Grimm

Time/ Presenter	Topic	
9:00	<b>Welcome/Agenda Review/Minutes</b>	Minutes approved, no amendments. Motion carried.
9:10 K. Strom Hiorns	<b>DNR Updates</b>	<p>-Waste and Materials Management Program staffing and budget</p> <ul style="list-style-type: none"> <li>• Kate Strom Hiorns – new bureau director for WMM (still doing recycling and solid waste section manager work until position gets filled, position may be posted this week or next week)</li> <li>• 2 engineers hired, one in Green Bay (NER) and one in Eau Claire (NOR)</li> <li>• Hydrogeologist hired in Green Bay (NER)</li> <li>• In the works to hire two LTEs, one LTE to help with recycling team (recycling grants, recording, data analysis, guidance, etc) and one LTE to help with finances, business support, and IT in central office.</li> <li>• Jim Delwiche, SER Supervisor, retiring 8/23/24.</li> <li>• Q: What would DNR like to do if more staff available? Waste reduction and improving program efficiency is a priority.</li> <li>• Q: GEMS submittals? GEMS IT update is a top priority, final updates by end of fiscal year, also focused on getting inspections forms onto new database.</li> </ul> <p>-SWIFR Grant Update: Hired Ruth O’Donnell (Waste Management Specialist) to focus on outreach and partnerships, also helps manage contract with HDR to conduct statewide food waste evaluation. Final report around July 2025.</p> <ul style="list-style-type: none"> <li>• J. Ketchum commented on high interest, WM acquired compost site in Minnesota and working with HDR/Ramsey/Washington counties. Excited to watch out for the food waste evaluation.</li> </ul>

		<p>-Kate welcomes suggestions about what anyone would like to see from DNR at WIRMC (2/26/25-2/28/25) or other trainings. Feel free to contact Kate with more ideas.</p> <ul style="list-style-type: none"> <li>• Potentially have an introduction session, good opportunity to meet people and new staff.</li> </ul> <p>-MRF stakeholder meeting 8/6 – 9am-noon virtual Teams meeting</p> <ul style="list-style-type: none"> <li>• 7<sup>th</sup> Annual Meeting will cover DNR updates, Recycling Rule Revisions, OFR Calculation, SW Rule Feedback, Batteries, MRF Fire Suppression, MRF Presentations/Discussion, Open MRF Discussion</li> </ul> <p>-Council on Recycling meeting 9/17 – GFL Mayville MRF</p> <p>-SW interested parties meeting (SWIP) 9/18 – 1:30-3:30 virtual Teams meeting.</p> <ul style="list-style-type: none"> <li>• Program, financial, rule writing, and recycling tonnage updates.</li> <li>• Speaker from EPA’s Landfill Methane Operations Program (LMOP)</li> </ul> <p>-Closed 7/31/24: E-cycle Collection Site Grants – \$100,000+ grants to be awarded.</p> <p>-Recycling Excellence Awards</p> <ul style="list-style-type: none"> <li>• DNR accepting nominations until 9/16/24.</li> <li>• Awards offered in 4 categories, overall program, projects and initiatives, innovation, and special events. Can self-nominate or submit an app on behalf of program.</li> <li>• Form can be found on DNR’s Wisconsin Recycling Excellence Awards Webpage</li> </ul>
<p>9:30 B. Sexton/ Group Discussion</p>	<p><b>Batteries Subgroup</b></p>	<ul style="list-style-type: none"> <li>• B. Sexton: Legislature is out of session so subgroup effort have been a lower priority, no addition work at this point. Got a good framework to start with in terms of supporting programs and education. Hoping to have something in line with the potential bills by the next session. Fire at Oneida County SW transfer station about a week ago, likely started by a lithium-ion battery. Fire went on for 4.5 hours before it was discovered by a trucker, spread so fast that it took out the two cameras in the transfer station w/in 10 mins. Looking for upgrades in fire suppression/notification, esp during the off hours.</li> <li>• C. Doverspike: Brown County, fire last week at recycling transfer station as material was getting loaded into a compactor into a semi. Last night fire at garbage transfer station, fire was extinguished and isolated quickly.</li> <li>• J. Ketchum: Counterpart Lisa Disbrow (?) in IL, presented at council of state governments. IL bill received portable/rechargeable battery association full support, will be hearing more about that next week.</li> </ul>

		<ul style="list-style-type: none"> <li>• D. Pellitteri: Fire log started one year ago and had significant media push on batteries. Working on analyzing the correlation with fire log and education push, when first started tracking there were 15 fires in 4 months (categorized as stage 1 (only smoke), stage 2 (flames), stage 3 (fire department called, stage 4 (catastrophic)). 12/15 in MRF and 3/15 were in transfer station, 7/15 were stage 1 and 8/15 were stage 2. Massive communication push with customers, last 8 months only had 4 fire events (2 were stage 1 and 2 were stage 2). Greatly reduce fire exposure through communicating w customers.</li> </ul>
<p>10:00 DNR Staff</p>	<p><b>Rulemaking Updates</b></p>	<ul style="list-style-type: none"> <li>• Hazardous Waste has 3 rules going to NRB in September. One is technical updates, modernizing equipment for determining ignitability, and adding aerosol cans to universal waste.</li> <li>• Recycling Rules (WA-13-21)</li> <li>• Landfill Rule (WA-11-22)</li> <li>• Municipal Landfill OFR rule – (2023 WI Act 107, WA-07-24E, WA-08-24) – emergency rule</li> <li>• Review of current NR 502 admin code – multiple meetings this fall for feedback</li> <li>• E-cycle rule upcoming (2023 WI Act 108) – Legislation (Act 108) passed last spring, some elements are already in place, requirement to do rulemaking. <ul style="list-style-type: none"> <li>○ Murray: Legislation included requirement for DNR to do rulemaking regarding fee waiver. Manufacturers must meet a target recycling weight each year. If recycling under the target, then there is an automatic short fall fee. There’s a provision in the statute where they can request a waiver from that fee if they have been making “good faith progress.”</li> <li>○ Murray: During the rulemaking process, will be looking to see if any other updates should be made. Considering adjusting the list of devices that are eligible to recycle through E-cycle Wisconsin and the list of devices that are banned from disposal in WI. Decided to add some eligible devices, determined that device with Lithium batteries would meet that threshold. Looking for input on whether certain devices should be added to eligible devices for recycling or potentially adding to disposal bans.</li> <li>○ Murray: Recently did a statewide household survey, asked about rechargeable batteries. About half of the respondents were either putting in trash, about 14% were putting them in recycling. Highlights outreach issues.</li> </ul> </li> </ul>

- Q: How does it work when they pass an act and rules are derived? Is there always an emergency rulemaking period after legislature passes statute?
- Murray: Sometimes, not always. E-cycling is not an emergency rule, not on an accelerated timeline. Original E-cycling rule did not require DNR to do rulemaking, written as very detailed statute. Sometimes statute will specifically direct DNR to do rulemaking to provide more details on something, other times over the years DNR will find that statute does not provide enough details and will start the rulemaking process to codify language in statute.
- Strom Hiorns: Sometimes statute/bill will have requirements to emergency rulemaking. Depends solely on the amount of detail in the legislature on their bill.

#### Recycling Rule Revision

- 1/17/24 Public hearing
- 1/24/24 Public comment closes
- 2/26/24 green sheet, background memo, comment response, summary
- March 2024 Rules Coordinator, Economist, Leadership, review, approval,
- 4/1/24 Green sheet package approved by SO
- May 17-20 2024 NRB briefings
- 5/22/24 NRB meeting/approval
- 5/30/24 Rule approved by governor
- 6/26/24 Report to Legislature submitted

#### Recycling Rule Revision Anticipated

- Jan 2025 Rule referred to standing committees
- March 2025 Standing Committee Review Completed, Rule referred to JCRAR,
- May 2025 JCRAR Review completed
- June 2025 Rule signed by SO, filed with LRB
- July 2025 Rule published in Adm Register
- August 2025 Rule becomes effective

#### Summary - Changes that impact RU

- Additional education on electronics recycling, batteries, and food waste, and composting
- Collection system requirements updated; individual collection services codified.
- Adequate recycling services at multi-family properties, defined adequate in code.
- Grant program code language updated

- Haulers must provide recycling tonnage data by 2/1 each year

#### Changes impacting MRFs

- Beginning in 2027, obtain OFR
- Minimum glass recycling rate of 12%
- Max residual rate of 20%
- Reduced annual reporting elements, one time certification, annual report would be what changes
- Contingency plan requirements, planning tool for facility in the event of downtime (such as fire or other drawbacks)

#### Questions

- OFR Calculation? Semrau: DNR Guidance document, also have an excel spreadsheet file for calculating (Casey will walk through at meeting next week)

#### Landfill Rule Revision Anticipated

- June 2024 – Economic Impact comment period
- July 2024 – Updates, response to comments
- August 2024 – NRB, LCRC Reviews
- Sept 30 2024– Public Hearing
- Jan 2025 – Natural Resources Board
- 2025 – Gov & Legis Reviews
- Fall 2025 – Rule Effective

#### Landfill Rule Updates based on comments during economic impact comment period:

- Changed all business days to days
- Ensured alternative final cover requirements met federal code
- Minor wording corrections

#### Economic impact analysis updates:

- Added two highest cost years “estimate of the implementation and compliance costs that are reasonably expected to be incurred by or passed along to businesses, local governments, and individuals” (\$5.3 M and \$6.1 M)
- Work with Study Group to evaluate plan review and other work efficiencies.

#### OFR Rule and NR 502 Review

- Municipal Landfill OFR, request for scope statement approval by NRB on Aug 14. Rule writing allowed after scope approved.

		<p>NR 502 Feedback Sessions:</p> <ul style="list-style-type: none"> <li>• 9/9/24 – 10-11:30am – Transporters and Transfer Facilities (NR 502.06 and 502.07)</li> <li>• 10/3/24 – 10-11:30am- Processing Incinerator Air Curtain Destructor, and Municipal SW (NR 502.08, NR 502.09, 502.10, 502.13)</li> <li>• 10/17/24 – 10-11:30am – Open burning, woodburning, and composting (NR 502.11 and 502.12)</li> <li>• 10/31/24 – 10-11:30am – Fill Exemptions, Low Hazard Exemptions, Storage Facilities, Land spreading, and PCB (NR 500.08 and 502.05, ch. 518 and ch. 157)</li> <li>• 11/4/24 – 10-11:30am – Infectious waste generators and handlers (ch. 526)</li> <li>• Meeting links will be on DNR’s Solid Waste Rules and Statutes webpage.</li> </ul>
<p>11:00 Group Discussion</p>	<p><b>Open discussion on future topics of interest</b></p>	<p>Current/2024 topics of interest</p> <ul style="list-style-type: none"> <li>• Battery disposal/recycling</li> <li>• Wasted food prevention and diversion</li> <li>• Recycling code update process</li> <li>• Landfills and fees code update process</li> </ul> <p>J. Ketchum: Battery legislation and public education is a high priority for WM and counterparts. Food waste prevention and diversion is difficult to take off, will be looking at HDR food waste evaluation and other rule issues. Lisa Disbrow (?) of WM would be willing to attend a future meeting to discuss battery topic.</p> <p>C. Doverspike: Potentially go back and look at topics brainstormed when group was formed. Early on discussed interest in NR 500 rulemaking, happy to see headway being made on some topics.</p> <p>B. Kalvelage: Involved in battery disposal for facility staff so this information sharing is good – need to be more mindful of lithium-ion battery disposal and recycling safety. Maybe could have topics of information sharing for landfills, such as storm water management, leachate collection, and leachate line cleaning. (Purchased \$50,000 submersible video probe to view leachate lines, can share footage at next meeting in November (tentative).)</p> <p>B. Sexton: Focus on position papers and information to state Legislature. If anyone would like to share a presentation on their facility or operation, feel free to let Kate/Bart/Julie know and can get you on the agenda.</p>
<p>11:30</p>	<p><b>Adjourn</b></p>	<p>Next meeting 11/7/24</p>