

# WASTE & MATERIALS MANAGEMENT STUDY GROUP – Notes: August 2, 2019

Location: Fitchburg Service Center

Member Attendance:  Albee,  Curry (Kari attended in place),  Doverspike/SWANA,  Johnson,  Karwoski,  Meyer Smith,  Morgan,  Sexton,  
 Welch/WCSWMA  Sieg/AROW

Guests:

DNR Attendance:  Lamensky,  Semrau,  Strom Hiorns,  Van Rossum

Time/ Presenter	Topic	Follow-up/Notes
9:30 Meleesa Johnson	<b>Agenda &amp; Notes</b>	<ul style="list-style-type: none"> <li>• Notes from 6/7/19 were approved. Finalized notes can be found on the WMM <a href="#">website</a>.</li> <li>• No agenda changes</li> </ul>
9:45 Joe Van Rossum	<b>DNR Updates</b>	<p>Staffing:</p> <ul style="list-style-type: none"> <li>• Recruiting- a new Hydro in Fitchburg (Adam Hogan’s former position) an engineer in the Fitchburg office; WA Program supervisor in Southeast (Trevor Nobile took a promotion in the Remediation and Redevelopment Program), that position will be posted until 8/11; recruitment also underway for two hazardous waste specialists (one in Fitchburg and one in Central Office); and a lead environmental program associate</li> <li>• New hires- hydro, Cody Hines, hired in Green Bay, he has a consulting background; Amy Dubruiel has accepted a new central office waste management specialist position as a communications specialist and solid waste specialist, she has been on the Ecycle Wisconsin team for the last three years</li> </ul> <p>Rulemaking:</p> <ul style="list-style-type: none"> <li>• NR 538 Beneficial Use of Industrial Byproducts had public hearings on the proposed rule 7/25 and 7/29. They are accepting comments through 8/5. About 20 members of public attended between all 5 public meetings and no comments. Will go to NRB in October with any modifications based on comments and then to legislature for review process. If everything goes on plan will go into effect spring 2020.</li> <li>• Proposed scope statement for Ecycle WI rule writing that includes licensing for electronics recyclers. Working through DOA and Governor’s office approval. WA Program made decision 10 years ago to treat electronics recyclers under exemption for scrap yards with goal of encouraging recyclers when metal was a much large component of electronics. The program has learned a lot over last 10 years and feels that these could use oversight that is similar to Ecycle Wi regulations. Once approved the legislature has option to require a hearing before beginning the rule writing process. That hearing would take place before we could get it on the NRB agenda for rule making approval.</li> <li>• CCR proposal is moving forward with a plan for Wisconsin rules and oversight (EPA will have to approve our rules is at least as stringent)</li> </ul>

General Program:

- HW program is doing a quarterly webinar series to train generators
- Strom debris cleanup efforts continue around the state
- Busy inspection time due to landfill construction
- The WA program continues to work with wildlife on deer carcass management. Natasha Gwidt will be presenting on the Program's authority to require deer carcass acceptance at the August NRB meeting at the request of the board. The presentation will state we do not have that authority.
- Meleesa requested the results of the compost study DNR is sponsoring research on composting for CWD deactivation be shared when completed
- Currently 13-14 landfills are accepting CWD deer carcasses.

Budget:

- State fiscal year ended on 6/30
- WA Program funds stayed to the status quo for budget

Guidance documents:

- Act 369 litigation is keeping some decision in limbo for the Dept. Guidance is interpreted as any decisions that impact a class of people. WA Program is working through what is guidance as well as process for recertifying guidance and finalizing new guidance.
- Attendee Mark Torresani of Cornerstone Environmental voiced concerns over the needs analysis guidance and the fact that it has never become final guidance but is being used.

PFAS:

- The DNR hosted a PFAS interested parties meeting (lead by R&R) that had 80 attendees in room and online. The WA Program is planning waste subgroup meeting in October or November after the next full group meeting (September). Dept is keeping website up to date. You can join a list serve for meeting invites.
- Meleesa asked if the waste and wastewater subgroups could meet together
- Concerns were raised by group members about testing without knowing what the results mean, voluntary testing becoming mandatory, liability concerns, public response and acceptance of leachate by WWTPs. Joe: The more information the Program has the better decisions we can make but the Catch 22 concerns of that are understood.
- Joe briefed on the 3 PFAS bills currently open. One is on setting standards which DHS has done, one on firefighting foam, and one on resources for the department. They have not gained a lot of traction.
- DNR met with MI this week to learn their process. They sent letters out to the WWTPs which rippled back to the landfills. Wisconsin is trying to learn and improve on process. They are also doing a clean sweep style firefighting foam collection. est. 33,000 gallons collected from 76% of fire departments. They are working on disposal options for the collected foam. There is conflicting information about incineration efficacy for PFAS destruction.
- Two PFAS research positions were added to the department one in drinking water and one in water quality.
- Dept will have funds for creating a prioritization of PFAS sources

		<ul style="list-style-type: none"> <li>• R&amp;R program is working with Madison on that had two wells with PFAS detects to ID possible sources within a 1 mile radius and will create a potential ranking. Other drinking water response work is happening in Rhinelander and La Crosse.</li> <li>• Lynn stated that the Johnson Controls Tyco cleanup has estimated costs at 145 million.</li> <li>• Lynn asked about PFAS requirements for LHEs. It is being looked at on a case by case basis (new requests) with info from other states and R&amp;R. Pretty consistent facilities of concern to look for when reviewing LHE requests. ATC is looking at excavating soil in a known PFAS plum which will require a cross program decision.</li> <li>• MN and MI have been testing leachate but there is not approved standard. The only EPA approved testing standard is for drinking water but MI is using a modified version using isotope dilution.</li> </ul>
10:15 Kate Strom Hiorns	<b>Information Compiled by Engineering Summer Intern</b>	<ul style="list-style-type: none"> <li>• If you have future requests for data you would like to see let Kate know</li> </ul>
10:45 Lynn Morgan	<b>Legislative Proposal Tracking Template</b>	<ul style="list-style-type: none"> <li>• Lynn provided a template that could be used for documenting policy positions. The idea is when the subgroup agrees on something that they would like to see policy change on they could document it and create a bank of positions so if legislation is proposed on related topics the group could provide their policy suggestion on a very short timeline</li> <li>• It's important to keep topics separate and singular because legislative opportunities will vary</li> <li>• The goal is not to provide suggested language but to be very specific with the recommendation on the action needed</li> <li>• The template should include a disclaimer about what the WMM Study Group is and how it is separate from the DNR</li> <li>• Once an item is added to the policy bank it is ready to be sent to a legislator's office. It does not have to go back to the group for approval. (Brownfields SG does notify full group for a short window if something is being sent).</li> <li>• The group needs to determine what level of consensus is needed for something to be added to the policy bank. Lynn recommends unanimous Brownfields does this but allows for comments from individuals so you can be in favor with comments. Meleesa reminds the group of the group policy of aiming for consensus but allowing for dissenting opinions.</li> <li>• Other parts of the approval process that need to be determined include if the vote includes those present at the meeting or all members, acceptable voting forms, dissent between subgroups and the core group.</li> <li>• Lynn will add a place on the template for documenting the meeting where the vote was held so specific notes can be easily recalled.</li> </ul>
11:15 Bart Sexton	<b>C&amp;D landfill Subgroup Recommendation</b>	<ul style="list-style-type: none"> <li>• Bart and Brian Kent decided the recommendations did not have to go back to the subgroup for further discussion. The two items without consensus were site life limits and tipping fees.</li> <li>• Site life- size site life means sites could be open for 40-50 years due to small volumes. Should sites remain open for that long/be operating on an approval from that long ago? Lynn suggested that</li> </ul>

	<p style="text-align: center;"><b>Follow-up</b></p>	<p>perhaps they could have a 10-year plan renewal requirement to realign with what would be approved for a new site (mostly testing parameters). Most private sites are filling in 7-10 years</p> <ul style="list-style-type: none"> <li>• Most gw exceedances are sulfates not VOCs (almost all sites are monitoring for VOCs). Most sites have a lot of wood which traps some contaminants but not sulfates.</li> <li>• Lynn noted that there is research in Florida about PFAS in C&amp;D landfills that should be tracked.</li> <li>• Bart will come back with proposed language for a rule change on site life at the next meeting.</li> <li>• Fees- Meleesa would like to see an annual fee, Lynn would like to see a fee that covers more DNR inspections and oversight at these facilities.</li> <li>• The past explanation for not charging tipping fees at C&amp;D landfills is that they don't contribute to the same level of environmental concerns and making C&amp;D landfill disposal more expensive would lead to an increase in illegal dumping. Now environmental concerns are occurring from these sites and transfer infrastructure has improved.</li> <li>• Bart did point out that 25-30% of solid waste going to MSW landfills is at least partially fee exempt as well however most wastes still require \$0.50.</li> <li>• The group discussed how to assess fees without requiring scales</li> <li>• Alan pointed out that if the addition of fees would make a C&amp;D landfill insolvent than that area probably doesn't need one because they have MSW landfill access. Even with fees certain areas (Madeline Island for example) would likely still operate a C&amp;D landfill and that is where they are really needed.</li> <li>• Lynn pointed out that C&amp;D landfills detract from C&amp;D recycling operations but that disposal in a full MSW landfill is likely overkill for this type of material. Bart added that since drywall is compacted less in C&amp;D landfills the hydrogen sulfide risk is lower.</li> <li>• Lynn said that raising fees just for parity is not her end goal but rather more oversight of these facilities. What fees would cover the cost of 2 inspections, annual report review and gw data review for these facilities?</li> <li>• Bart will check with C&amp;D landfill operators about increasing inspection fees based on inspection goals.</li> <li>• Kate will bring C&amp;D landfill data that the summer intern compiled to the next meeting.</li> <li>• DNR will work on cost estimates for C&amp;D landfill oversight relative to current fees and will bring the percent of waste that requires each level of tipping fee.</li> </ul>
	<p style="text-align: center;"><b>Closing</b></p>	<ul style="list-style-type: none"> <li>• Bart reevaluated leading up a subgroup with a functional stability goal. With emerging contaminants sites will never need to stop monitoring and it doesn't seem viable.</li> <li>• Lynn feels that there is still a need for off ramping RD&amp;D plans and organic stability. Is organic stability still a good fit for Wisconsin? Meleesa informed the group that Marathon Co is going to stop leachate recirculation due to concerns of fire from aluminum dross and fire.</li> <li>• Karin dropped innovations from the recycling subgroup to make the category broader. Have 7-9 members currently. Topics of focus for the new group include the definition of recycling, emerging wastes, economic concerns, diversion of funds and, updating the recycling standards. Members will be confirmed, and the first meeting will be held in mid-September.</li> </ul>