

MINUTES

COUNCIL ON RECYCLING
JULY 17, 2007
DANE COUNTY PUBLIC WORKS OFFICE
1919 ALLIANT ENERGY CENTER WAY
MADISON, WISCONSIN

Council Members Present: Neil Peters-Michaud; John Reindl; Charlotte Zieve

Council Members Absent: Jeff Fielkow, Cecelia Stencil, (2 vacancies)

Also attending: Brian Borofka, Wisconsin Energy Corporation; Cynthia Moore, DNR; Ken Nwankwo, DOT; Joe Van Rossum, SHWEC

Call To Order: The meeting was called to order by Chair John Reindl at 9:05 AM.

Minutes: Due to a lack of a quorum, the May 22 minutes were postponed. Neil Peters-Michaud noted that on page 3, the contracts by the federal government would reach \$386 billion, not million.

Introductions and Announcements: In recognition of the attendance of Ken Nwankwo, DOT, Reindl said that the Wisconsin Department of Transportation (DOT) has taken a lead in recycling and using recycled material for road projects. They are using compost for roadside plantings. This has created a great market for compost.

Reindl distributed a list of solid waste issues in the Governor's budget and as amended by the Senate and the Assembly. Issues include tipping fee increases, renewable energy funds, funding for the cleanup of contaminated soil, clean sweep increases, funding for pharmaceutical clean sweeps and recycling fund transfers to the general fund. Most of the increases in the governor's budget and Senate version were deleted in the Assembly. They bills are dramatically different. There will be a conference committee to work out the differences between the two versions. There is no telling how it will turn out. All the information is on the internet. Reindl said the budget is 1700+ pages so there may be other issues that he missed. Brian Borofka said it did not appear that the Task Force report was taken into consideration. Cynthia Moore said that the Governor's budget was far along before the Task Force report was issued.

Reports

DNR: Moore said that things were in flux until the budget is approved. There are several initiatives in the budget. She said that it was difficult to do RU scenarios for different budget options because of the complexity of the formula.

Moore said that she is still working on e-waste issues. There has been activity throughout the Midwest and the country. There is a draft bill in Illinois. Minnesota is implementing their new legislation. Providers are signing up for the Minnesota plan. She said a bill on e-waste should be introduced this fall. Reindl said he heard that an Assembly member was going to introduce a bill as well. Borofka said that Sen. Kedzie was also interested in e-waste legislation.

Moore said the Midwest Product Stewardship Council had been formed. E-waste and pharmaceuticals appear to be the top issues. This is a group of state and local government organizations.

Moore said that EPA will feature Wisconsin in its "Recycling On the Go" web page. Another EPA web page featured DOT's recycling efforts.

Governor's Task Force on Waste Materials Recovery and Disposal: Reindl said that the members of the Task Force have not met since the last Council meeting.

Product Stewardship: Borofka said that he had some observations from being on the Task Force. The Task Force decided that waste is a resource lost. It is a linear process: raw materials to product to waste. The process should be circular model: raw materials to product to waste to reuse/recycling. There are four basic recommendations. 1) Promote voluntary programs. 2) Mandatory take-back programs where cost-effective and necessary. 3) Prohibit or minimize toxics, similar to the EU ROHS directive. Lead, mercury cadmium and other toxics are still being used. 4) Support establishment of accessible recovery facilities.

Reindl said that there are too many products (used oil, batteries, electronics, paint etc) for a municipality to develop the expertise to properly manage and recover. The manufacturer knows how to handle those products and it should be their responsibility. They have the expertise and the distribution system to deal with these products. Zieve said if it is so logical why don't we just mandate it and get it done. Reindl said that many companies are practicing product stewardship and, by leaving government out of it, the companies have the freedom to come up with innovative solutions to problems. They can come up with the most effective system. Zieve said that part of the problem is that any company wanting to do the right thing would be at a disadvantage if it was not mandated.

Borofka said other recommendations included a disposal ban on electronics, establish policies consistent with neighboring states and look at a beverage deposit law. Reindl said that the Task Force said that universal waste should be banned from landfills regardless of origin. That means that items such as fluorescent lamps and electronics, that are legally thrown out by consumers but can't be by businesses, would be banned. Borofka said that the longest lasting bulbs need mercury to make them work. We should recapture all of that mercury.

Borofka said that there are several American companies that have take-back programs. Few foreign owned companies have take-back programs. There are also state mandated programs. California has an advanced recycling fee. Maine has a mandatory product stewardship recycling program.

Reindl asked what the first steps should be if the Council decided to take this issue forward. Borofka said he thought the Council should talk up the issues. You have to speak up and keep the dialogue going. Contact the legislature, meet with groups and try to develop a critical mass. Borofka said that society has gotten sloppy and lazy about doing the right thing. Zieve said that people love to recycle. A lot of people enjoy the idea of doing the right thing. You need rules. There is more good will than you think. Borofka said that may be true but not everyone is interested. Moore said that everyone needs to be a part of the solution. Zieve said that education is needed. What we do is contributing to the world's problems. Some of the world's worst regimes are financed by our use of precious metals. Moore said that we are trying education but it is difficult. There are a number of programs on the state and federal level. Zieve said that the manufacturers need to be part of the solution, either with advertising or by product stewardship. Borofka said that is what government tries to do with mandatory programs.

Borofka says that companies are responding. For example, fluorescents are on sale all the time. Peters-Michaud said that Minnesota has an 80% rate for lamp recycling vs. the 20% in Wisconsin. The difference is in enforcement. The law applies to everyone in Minnesota. Joe Van Rossum says that part of the problem is that solid waste is on the tax bill and no one thinks about it. We need to change attitudes. People want to recycle but it has to be easy and convenient. If not, compliance is down. Reindl said it is a challenge to educate people at special events as well as at businesses. Stores are required to put up signs but they don't. It's tough to make all the parts work. Product stewardship puts the burden on manufacturers. They will police themselves.

Peters-Michaud asked about the difference between product stewardship and producer responsibility. Moore said that producer responsibility implies that the consumer and the retailer are more involved. Zieve said we need laws to level the playing field. Borofka said only a few companies are currently taking responsibility at this time. Moore asked if pharmaceuticals would be a good product for product stewardship. Borofka said that the distribution system is so good that they should be able to take them back. The Rechargeable Battery Recycling Corporation (RBRC) is a good model. The cost of recycling is in the cost of the product

Survey results: Reindl said that he sent out a survey of potential Council priorities to 900 RU communities. He received 65 responses. 21 were OK with the proposed priorities. 25 highlighted

education. Several added comments. 19 added computers and electronic. 12 added producer responsibility. There were many additional comments on that. 9 added Clean Sweeps. 4 added C&D. Many other issues were cited by 3 or less. He also sent it out to haulers but there were no responses on the priorities. Peters-Michaud said the Council could still use the online tool as a follow up.

Priority issues:

Electronics: Peters-Michaud said the bid by DOA has gone out using the EPEAT language. Dell and Vanguard computers won but the contract is under protest. The protest has nothing to do with environmental issues.

Peters-Michaud said that overseas dumping was back in the news. Toys were made from e-waste plastics and there were toxics in the toys. Borofka said that this is really a consumer protection issue. Peters-Michaud agreed

Peters-Michaud said that there is a stalemate on the producer responsibility issue among manufacturers. A compromise splits off computers and consumer electronics- such as TVs. Consumer electronics has an ARF and the computers have a take-back model. This may kick-start the process. States have put pressure on companies. Companies now want federal model to avoid state by state rules. Original equipment manufacturers (OEM) are on board. There is also a movement to reduce toxicity. Minnesota has a fast timetable. Registration begins on August 1. Moore said that the quick timetable has created a lot of questions and problems.

Peters-Michaud said that version 15 of the EPA Best Management Practices is now out. It presents a set of standards that can be audited.

Reindl asked if the Council should summarize the issues and directly contact interested legislators. Members agreed that would be a good idea.

Peters-Michaud said that the infrastructure has grown significantly in the last year. Industry believes this is a growing field.

Mercury Containing Products: Reindl said that Wisconsin has not introduced mercury legislation but that Sen. Jauch has said he will introduce legislation. Nationally, 102 bills have been introduced in 2007. 11 bills have been passed. Minnesota has the most comprehensive legislation. Illinois has three bills on the governor's desk. Reindl said that the City of Madison has proposed that landlords put CFLs in common areas. Dane County will probably set up a committee on the issue of promoting the recycling of fluorescents.

Clean Sweeps: Reindl said that there was no news on Clean Sweeps.

Paper: Reindl said that he has sent a letter to the Governor, DOA, DNR and legislative committee chairs about RCAs. DNR has responded and appointed Dan Fields as liaison. Reindl has contacted several organizations about using RCAs. He has not had a response. Zieve asked if Reindl could write a stock letter that she could send to these organizations telling them that they would not get a donation unless they made the change. She said that label makers need a market and this ground level campaign could start this off. The organizations should also say that they are using the RCAs. Reindl said he would do that. He said that there is no cost difference one the change has been made. Moore suggested that the Council write to Resource Recycling and other magazines. Zieve said that once people understand the issue they will be willing to be part of the campaign.

Council Priorities: Reindl said that he felt the mercury in products issue should be watched with respect to our recommendations but it is a low level priority. Computers should be watched but there is a lot going on it should also be a watch status. Paper will be the RCA campaign but otherwise a watch status. Education, producer responsibility and maybe clean sweep should be the active priorities. Reindl said that the Council could survey what type of education is being done now and looking at whether or not it is effective. Moore said funding education is an issue as well. Reindl said the Council could develop a task force if necessary. Peters-Michaud said that we shouldn't lose sight of the goal. The issue is how to raise recycling/recovery rates. Education is one mechanism. Enforcement could be more important.

Keep the goal in mind before making decisions. Moore suggested a focus on getting information out on materials that have already been worked on. Zieve said we need producers to part of the solution. Moore said education was important but it was also important to do something with the information.

Reindl said we seem to have a level one and a level two list. Level two is mercury, computers and paper. The overarching issue is increasing the recycling rate. That could include education, enforcement, producer responsibility. We could form task forces, work groups or other actions to get producers involved. Van Rossum said providing leadership on product stewardship may be most important. The Council should look at the Governor's Task Force report and advance recommendations from there. There is a need to find champions to carry these issues. Reindl said he will write up statements on each issue. He will also contact the chair of the AROW hazardous waste committee, Sue Gau, and Roger Springman from DATCP to come to the next meeting to talk about Clean Sweep.

Peters-Michaud said another priority would be to fill the other Council vacancies. Reindl agreed.

Public Comment: Van Rossum said that he was soliciting information on glass. Reindl said that there is a problem with glass from fluorescent tubes, in that the market existing in Wisconsin has stopped taking this material. Joe Van Rossum noted that this was the motivation for his work.

Ken Nwankwo said he does not hear from industry about recycling. Reindl said that part of the problem is that the perspectives are different. What an RU considers a lot of material is really only a few days supply for the road builders. Reindl said that DOT using compost on the plantings has been great for local compost programs. Reindl said he could facilitate a meeting on shingle recycling with a local recycling contractor. This contractor is also thinking of going with single stream for all C&D. Nwankwo said he would work on setting up a meeting.

Other Business : The next meeting will be Tuesday, September 11, 2007, in Kimberly or Oshkosh.

Adjournment: Zieve moved and Reindl seconded. The Council adjourned at 11:20AM.

Respectfully submitted by Daniel B. Fields, Department of Natural Resources.