DRAFT Solid Waste Advisory Committee (SWAC)
Meeting Summary
January 9, 2009

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1. Welcome and introductions.

Overview of agenda.
Handouts:

- Agenda
- SWAC Legislation Tracking Table
- Solid Waste Data Measurement System Request for Proposal with Estimate of Costs
- Waste Utilization's Role in Michigan's Sustainable Future
- MDEQ Open Burning Rules Revisions

2. Approve draft meeting summary.

The November 7, 2008, meeting summary was approved. The DRAFT heading will be removed from the minutes on the Web site.

3. Legislative Update – Legislative Tracking Table –

- New session. All of the old bills are now gone.

a. E-waste legislation signed into law. We are in the process of determining implementation and will post on Web site once completed. Take-back program will have expanded responsibilities here in the WHMD (registrations; fees) and industry led. Indiana is pursuing e-waste legislation program and mirrors Michigan.

b. Deposit law legislation:

- Increase in fraudulent redemption penalties
- Require reverse vending machines with bar code to mark where from
- Fund at state level to provide retrofitting of old machines
- Manufacturers will put on bar code
- Will not take effect until the state has provided money for retrofit. Several millions to retrofit ($5,000 per machine/$1 million per year currently). Life of machine is 5 to 10 years (7 to 8 average)
- How long to retrofit? Start at border counties (three tiers).

c. Fees: Proposed increase in Solid Waste Surcharge to continue Solid Waste Program. Two goals are being proposed. 1) To change method of reporting for payment from yards to tons. 2) Type III waste (segregated) would triple their fee. Other states use weight. Email sent out just before the holidays and there wasn't much time to provide comments. Small changes based on November 6, 2008, meeting. Feedback was to decrease the fee slightly based on waste with closer to 1 to 1 density. This will generate approximately $300,000 more than the original estimate. Still provide comments if you have them because the Governor might not put the fee proposals forward due to current economy. Fee proposal submitted to state budget office. Revenue is estimate conference is going on today.

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MMA does not support the increase in fees but recommended a General Fund shift. However, there may not be more General Fund to shift. Is less money due to less amount of waste disposed? A possible decrease in Construction and Demolition waste and decrease in Canadian waste (municipally managed). Decrease in disposal based on increase in recycling shingles and wood waste (domestic markets). Solid Waste Receipt Reports due January 31. China is the biggest market for traditional recyclables. There isn't a reason to expect it won't return to traditional average levels and stabilization in prices. Duane Roskoskey's reports are on industrial wastes rather than Municipal Solid Waste. Beneficial use program in other states are fee funded. This goes along with previous comments that fee should follow the waste.

d. Planning: House Bill 4484-4486 passed the House but not funding the dependent ones; see Legislative Tracking Table for the ones that didn't make it through. Planning Lite is less controversial version and need to address some comments made during committee hearings. The question was raised: When should the DEQ call for a plan update? The following comments were made in response to the question.

- Get it back on the regular schedule like the law states.
- If doing an amendment, why not do the entire thing?
- Needed for Policy implementation to get everyone thinking about job opportunities, new systems, and energy.
- Facilities which aren't consistent with current plans.
- Missed opportunities if we don't do it on a regular basis.
- Link plans back to the new Policy with goals.
- If counties go through an amendment then they shouldn't have to update.
- Guidance document needs to be updated with stakeholders' input. The document could be a problem with the industry.
- Some counties take verbatim as "rule of law".
- Format the Plan to get rid of redundancies, etc.; what do Rules require be in the Plan?
- Do counties have the money to do? Lack of staff, resources, and state resources, too.
- Marginalization of function at county level with missed opportunities as a result.
- Funding issue keeps coming up when the bigger issues and steps are mentioned. Chipping away at the edges as a result.
- Just call for the plan update and force the issues.
- Bring up in fee discussions and revisit statutory requirements to determine if planning is still relevant.
- There are a lot of things being neglected and we think this will kill fees right off. If not the right approach then there will be no support for the bills.

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- Gain champions and what they would support and revisit or start from scratch to get an agreement on the approach or it won't go anywhere.
- The DEQ has a lot of work to do and SWAC needs to be kept in the loop and used as a sounding board.

e. Report on Past Actions/Rulemaking. Compost/Inert rules status of draft issue papers in the agency. Get through those and make sure that everyone is on board. Meeting dates are held on staff calendars. Invites will be sent out in February for March 2009 meeting.

4. Solid Waste Policy Discussion Topics:

a. Prohibit (on-site) Open Burning of household waste presentation by Jim Ostrowski with AQD. Materials have changed. When plastic is burned, it creates dioxin (Number 1 source of dioxin emission); mercury; sulfur dioxide, etc. (leads to heart and respiratory issues); more peoples are exposed because of population shifts. A new work group will be formed to discuss issues of education, enforcement, etc.

- Michigan is behind. Only Great Lakes State who doesn't have regulations on open burning.
- Implementation timeframe.
- Access to waste disposal area/drop off.
- Bans by local ordinance/populated areas.
- Need to work with Regional Planning Agencies.
- Patty O'Donnell brought up affordable ways to get rid of waste; it is a divisive issue and it is hard to work on at local level.
- Fire Chiefs, asthma/sensitive population, Lung Association, DCH, MTA, Rural Township representatives, too. MML, businesses economic development in those areas, Farm Bureau, Public, MWIA.
- Amount of waste - recyclables?
- Increase in illegal dumping by weekend visitors.
- Law enforcement; prosecutors need to be involved in those cases.
- Burying solid waste still allowed. Different authorities need amended (statute) to tweak the rules and just make it be garbage (organics) that can be buried.
- The process: with compost/inert rules on own; or with overall update.
- Proposal to focus on amendments, two RFR's, public notice/meeting.
- Law making by rule issue? What is an implementable time frame? Local ordinance to authorize it?

b. Utilization Measurement: Subcommittee update from Jim Frey on matrix of waste types with data sources, definitions, and guiding

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principles. Longer term view with measurement system and funding component. (Funding presentation) Comments included:

- How to address scarcity of money currently? If there were money then we wouldn't be asking.
- Some of the figures that were used were based on when economy was down.
- Most economic development agencies have tons of information for business to provide locality but recycling data is not available. Field "stock" information.
- Indiana doesn't have this information either.
- Two to four year effort to solidify a partner.
- Roles/Who? Still questions that are open ended.
- Driving recycling business equals more education equals raise tipping fee and more materials. Simply collecting data won't increase recycling.
- Good, better, best idea and cost for each range of data collection services.
- Question some of the figures in presentation.
- Support.
- Provide data but not sure this is way to generate investment in recycling infrastructure. Clarify that just taken one small step in Policy implementation.
- Lot of uses/need for this information.
- Support putting the data out there. And not use data to say we are going to increase recycling. See how much can recycle in future than more recent trends (over the next two years).
- Due to drastic changes in economy, recycling increased by 5-6%; household recycling increased by 20%; export versus globalization of commodity.
- Don't have data to say for sure but make some things clearer in the presentation.
- Careful how "message" can come across depending on audience.
- Need to make the sale. Unintended consequences of what use.
- Economic downturn makes it a tough sale.
- Role of waste utilization in new economy.
- Cross referencing of our data collection so far.
- What's available for future? Climate change, green jobs, carbon emissions at an increase in levels.
- Shows economic benefits currently, may need more.
- Gear to audience-a version that relied more on environmental facts. Does need to be tailored to each audience. Legislature needs to know how much is diverted without getting into minutia. Another week in subcommittee - have until the end of the month to get SWAC feedback. RFP is for good, better, best-out of presentation slide information.

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5. Next Meeting Items:

Next meeting is scheduled for March 6, 2009. Future meeting dates for FY09 are: May 1, July 10, and September 11.

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